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# CANADA

at the

# UNITED NATIONS

# 1947

REPORT ON THE SECOND SESSION OF THE  
GENERAL ASSEMBLY OF THE UNITED NATIONS  
HELD IN NEW YORK  
SEPTEMBER 16 - NOVEMBER 29  
1947

DEPARTMENT OF EXTERNAL AFFAIRS  
OTTAWA, CANADA

CONFERENCE SERIES 1947, No. 1

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OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY  
1948





*To His Excellency*

*The Governor General in Council*

YOUR EXCELLENCY:

I have the honour to lay before Your Excellency the attached report on the Second Session of the General Assembly of the United Nations, which was held in New York from September 16 to November 29, 1947. This report describes the work of the Second Session of the Assembly and outlines the attitude and contribution of the Canadian delegation.

I have the honour to be, Sir,

Your Excellency's obedient servant,

L. S. ST. LAURENT,  
*Secretary of State for External Affairs.*

OTTAWA, February 26, 1948.





## TABLE OF CONTENTS

	PAGE
GENERAL SURVEY.....	11
 POLITICAL QUESTIONS	
1. Threats to the Political Independence and Territorial Integrity of Greece.....	23
2. The Independence of Korea.....	31
3. Treatment of Indians in South Africa.....	36
4. Palestine.....	41
5. Measures to be taken against Propaganda and the Inciters of a New War.....	51
6. Establishment of an Interim Committee of the General Assembly.....	55
7. Consideration of the Veto.....	60
8. Relations of Members of the United Nations with Spain....	63
9. Admission of New Members to the United Nations.....	67
10. Elections to the Security Council.....	74
 ECONOMIC AND SOCIAL QUESTIONS	
11. Surveys of World Economic Conditions.....	80
12. Implementation of Recommendations on Economic and Social Matters.....	81
13. Regional Economic Commissions.....	83
14. Applications by Italy and Austria for Membership in the International Civil Aviation Organization.....	86
15. Relief Needs after the Termination of UNRRA.....	87
16. Agreements with Specialized Agencies.....	89
17. Increase in the Membership of the Economic and Social Council.....	92
18. Social Welfare Services.....	93
19. Ratification of the Constitution of the World Health Organization.....	95
20. Conference on Freedom of Information.....	96
21. Exchange of Workers.....	98
22. Enquiry Concerning the Mastication of Coca Leaves.....	99
23. Ratification of the Protocol Concerning Control of Narcotic Drugs.....	100
24. International Children's Emergency Fund.....	101
25. Transfer to World Health Organization of Certain League of Nations Assets.....	102
26. Suppression of the Traffic in Women and Children and in Obscene Publications.....	103
27. Reports from Regional Conferences and Assemblies.....	105
28. Prevention of False or Distorted Reports.....	106
29. Trade Union Rights (Freedom of Association).....	108



ECONOMIC AND SOCIAL QUESTIONS— <i>Cont.</i>	PAGE
30. Prevention of Immigration Likely to Disturb Friendly Relations Between States.....	110
31. Teaching of the Purposes and Principles of the United Nations in the Schools of Member States.....	112
32. Elections to the Economic and Social Council.....	113
TRUSTEESHIP QUESTIONS AND NON-SELF-GOVERNING TERRITORIES	
33. The Trusteeship Council.....	117
34. Trusteeship Agreement for Nauru.....	119
35. South West Africa.....	121
36. Non-Self-Governing Territories.....	124
ADMINISTRATIVE AND BUDGETARY QUESTIONS	
37. United Nations Budget 1947 and 1948.....	131
38. Scale of Contributions to the Budget.....	137
39. United Nations Working Capital Fund.....	138
40. Report of the Board of Auditors Financial Year 1946.....	140
41. Special Items involving Expenditures.....	141
42. Financing of the Headquarters of the United Nations.....	142
43. Budgetary and Financial Co-ordination with the Specialized Agencies.....	143
44. Tax Equalization.....	145
45. Questions Relating to the Secretariat.....	146
46. Information Questions.....	149
47. Appointments to Subsidiary Bodies of the General Assembly.....	150
48. Simultaneous Interpretation.....	152
49. The Question of Spanish as a Third Working Language....	153
50. United Nations Postal Administration.....	154
51. United Nations Telecommunications System.....	155
52. Expenses of National Representatives on United Nations Commissions of Enquiry.....	156
LEGAL QUESTIONS	
53. Progressive Development and Codification of International Law.....	159
54. Privileges and Immunities of International Organizations...	162
55. The Crime of Genocide.....	164
56. Need for Greater Use of the International Court of Justice.	165
57. Surrender of War Criminals.....	167
58. The Registration and Publication of Treaties.....	168
59. Rules of Procedure.....	169
60. United Nations Flag and United Nations Day.....	171
APPENDICES	
I. POLITICAL QUESTIONS	
A. Address given in Ottawa by the Chairman of the Canadian Delegation to the Second Session of the General Assembly. September 12, 1947.....	175

APPENDICES—*Cont.*

PAGE

I. POLITICAL QUESTIONS—*Cont.*

B.	Opening Address to the Second Session of the General Assembly, by the Chairman of the Canadian Delegation, September 18, 1947.....	178
C.	Canadian Proposals on the Composition of the Special Committee for Greece, October 10, 1947.....	180
D.	Text of the Final Resolution on the Greek Question, October 21, 1947.....	181
E.	Text of the United States Amendment setting up the Temporary Commission on Korea, October 29, 1947	183
F.	Text of United States Resolution on the Temporary Commission on Korea, November 14, 1947.....	183
G.	Text of the Resolution proposed by Belgium, Brazil and Denmark on the Treatment of Indians in South Africa, November 14, 1947.....	185
H.	Statement of the Canadian Representative on the Question of the Treatment of Indians in South Africa, November 17, 1947.....	185
I.	Opening Statement by the Canadian Delegate on the Partition Plan for Palestine, October 14, 1947.....	186
J.	Statement by the Canadian Representative on the Juridical Basis of the Partition Plan for Palestine, November 4, 1947.....	189
K.	Statement by the Canadian Representative supporting the Partition Plan for Palestine, November 22, 1947	194
L.	Statement in Plenary Session by the Canadian Delegate on the Partition Plan for Palestine, November 26, 1947.....	198
M.	Statement by the Canadian Representative on War Propaganda, October 23, 1947.....	200
N.	Joint Resolution on War Propaganda submitted by Australia, Canada and France, October 26, 1947...	206
O.	Final Text of Resolution on War Propaganda, November 3, 1947.....	207
P.	Text of Articles 11, 12 and 14 of the United Nations Charter.....	207
Q.	United States Proposal for the Establishment of an Interim Committee of the General Assembly, September 26, 1947.....	208
R.	Canadian Amendment to United States Proposal for the Establishment of an Interim Committee of the General Assembly, October 17, 1947.....	210
S.	Final Text of the Resolution adopted for the Establishment of an Interim Committee, November 13, 1947.....	210
T.	Statement by the Canadian Representative on the Establishment of an Interim Committee of the General Assembly, October 18, 1947.....	212



APPENDICES—*Cont.*

PAGE

I. POLITICAL QUESTIONS—*Cont.*

U. United States Proposal for the Consideration of Voting Procedure in the Security Council by the Interim Committee of the General Assembly, November 18, 1947.....	216
V. Statement by the Canadian Representative on the Relations of Members of the United Nations with Spain, November 11, 1947.....	216
W. Text of Statement by the Canadian Representative on the Admission of New Members to the United Nations, November 7, 1947.....	217
X. Text of Final Statement by the Canadian Representative on the Admission of New Members, November 10, 1947.....	219
Y. Text of the Provisional Rules of Procedure adopted on the admission of New Members, November 21, 1947	220

## II. ECONOMIC AND SOCIAL QUESTIONS

A. Canadian Statement on the Work of the Economic and Social Council in Committee III, September 29, 1947.....	221
B. Canadian Statement on Economic Questions in Committee II, October 6, 1947.....	224
C. Text of Resolution on Surveys of World Economic Conditions, October 31, 1947.....	228
D. Text of Resolution on the Establishment of an Economic Commission for the Middle East, October 31, 1947.....	229
E. Canadian Statement on Social Welfare Services, October 3, 1947.....	229
F. Text of the Resolution on Exchange of Workers, November 17, 1947.....	230
G. Statement by the Canadian Representative on Prevention of False or Distorted Reports, October 28, 1947.....	231
H. Text of the Resolution on Prevention of False or Distorted Reports, November 15, 1947.....	231
I. Text of the Resolution on Trade Union Rights, November 17, 1947.....	232
J. Text of the Resolution on Prevention of Immigration likely to disturb Friendly Relations between States, November 17, 1947.....	234
K. Text of the Resolution and of the two Canadian Statements on Teaching of the Purposes and Principles of the United Nations in the Schools of Member States.....	235

APPENDICES—*Cont.*

III. TRUSTEESHIP QUESTIONS AND NON-SELF-GOVERNING TERRITORIES	PAGE
A. Canadian Statement on South West Africa, October 8, 1947.....	238
B. Assembly Resolution on Question of South West Africa, November 1, 1947.....	239
IV. ADMINISTRATIVE AND BUDGETARY QUESTIONS	
A. Text of Resolution adopted by the General Assembly on the Composition of the Secretariat and the Principle of Geographical Distribution, November 15, 1947.....	241
B. Statement by the Canadian Representative on Information Questions, October 13, 1947.....	242
V. LEGAL QUESTIONS	
A. Statute of the International Law Commission.....	244
B. Canadian Statement on Progressive Development and Codification of International Law, September 26, 1947.....	250
C. Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations.....	250
D. Assembly Resolutions on the Draft Convention on Genocide, November 21, 1947.....	260
E. Assembly Resolutions on the Need for Greater Use of the International Court of Justice, November 14, 1947.....	261
F. Canadian Statement on the Need for Greater Use of the International Court of Justice, November 14, 1947.....	263
G. Assembly Resolution on Surrender of War Criminals and Traitors, October 31, 1947.....	264
H. Statement by the Chairman of the General Assembly's Committee on Procedures and Organization, September 25, 1947.....	265
VI. CANADIAN DELEGATION TO THE SECOND SESSION OF THE GENERAL ASSEMBLY.....	269
VII. OFFICERS OF THE GENERAL ASSEMBLY AND MEMBERS OF THE SECURITY COUNCIL, THE ECONOMIC AND SOCIAL COUNCIL, THE TRUSTEESHIP COUNCIL AND OF THE INTERNATIONAL COURT OF JUSTICE.....	271





## GENERAL SURVEY

The attitude of the delegations which assembled for the Second Session of the General Assembly in September, 1947, reflected the desire of many Member States of the United Nations to give substance to the work of organization which had been carried out during the previous two and a half years.

An elaborate and complicated structure of international legislative and executive machinery had been established. The constitution had been written; the various organs had been set to work; the responsibilities had been apportioned and accepted; officials had been appointed. On the other hand, however, there were grave misgivings because, in regard to its main function as an instrument for the maintenance of peace, the United Nations had not fulfilled the expectations of those who drafted the Charter at San Francisco.

The record of activities was indeed impressive. The General Assembly itself had, during the two parts of its First Session in 1946 and during the special session on Palestine in 1947, shown an encouraging willingness to perform the functions of an international legislature. The agenda for 1947 was even longer than that which the Assembly had considered in 1946, and many of the items gave support to the theory that the Assembly is a body in which laws governing the relations among states will be written.

Encouragement could also be found in the fact that the structure of the United Nations, as it had originally been designed, was now almost complete. All the principal organs—the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice and the Secretariat—were now in operation. Each had undertaken the tasks for which it had been designed, and had begun to work out techniques and procedures for fulfilling its functions.

In the Economic and Social Council, in particular, an energetic attempt was being made to develop an agency capable of being of great assistance to the nations of the world in their efforts to resolve



the economic and social causes of international friction. The Council had established a series of commissions and sub-commissions, and had worked out agreements with all the existing international specialized agencies. These agreements did not provide as close a relationship with the United Nations as had originally been intended, but a network of connected agencies had nevertheless been created among a group of associated international organizations.

In the Security Council too, in spite of the discouraging inability of that organ of the United Nations to reach constructive conclusions, there had been no lack of activity. Both the variety and the urgency of the subjects which had been placed on the agenda of the Security Council gave evidence of the need in which the world stands of a body with the functions of the Security Council.

There were nevertheless serious causes for misgivings. In its First Session, the Assembly had shown a tendency to become a forum for public controversy in an ever-extending area of international dispute. Differences of opinion which might in private have resulted in nothing more serious than a regrettable temporary disagreement were transformed in public into major issues which not only engaged the attention of the Assembly itself, but which were extended and enlarged in open controversy in many parts of the world. The agenda of the Second Session gave promise of renewed debate of this character. It was probable therefore that for each hour spent in the consideration of constructive measures for international co-operation, the Assembly would spend many others listening to protracted debates on subjects which gave little promise of an agreed solution but served only the purpose of placing on the record the irreconcilable views of the exponents of competing social and economic systems.

The record of the Security Council was even more disquieting. The original intention had been that the members of the Security Council should constitute themselves as a body especially charged with the removal of threats to the peace by negotiation and conciliation, if possible, or by force if necessary. The members of the Security Council had not agreed on a solution to any one of the really dangerous situations which had been brought before them, nor had they reached agreement on the measures of enforcement they should use

if they did agree to a course of action. This frustration was brought about by the use made by the permanent members of the Security Council of the privileged position which they enjoyed under the voting procedure in that body, a position which is commonly described as the right to veto.

It was generally recognized, however, that the veto itself was merely symptomatic of the existence of unresolved issues among the Great Powers and of their unwillingness or inability to use the Security Council as an instrument for the settlement of disputes among them. The veto had been applied most frequently by the representative of the Soviet Union, and it was the U.S.S.R. which insisted most firmly that the voting procedures as they are now established must remain unchanged. The result was a growing conviction that the Security Council might fail to perform the functions for which it was designed, and that when a real emergency arose it would have neither the ability nor the experience to reach effective decisions.

The delegations which attended the opening meetings of the Second Session of the General Assembly knew that behind these problems of organization in the United Nations lay the political problems which had arisen since the end of the war between the eastern European states and the western democracies, and in particular between the Union of Soviet Socialist Republics on the one hand and the United States on the other. The controversy between these two groups of states had now come fully into the open. It resulted in a persistent debate which reached into almost every activity of the United Nations, complicating and hindering the work of the organization.

Faced by these problems, many delegations asked themselves urgently what action could be taken to transform the United Nations into the effective organization which was originally contemplated. In a series of opening statements, it was made clear that many states would seek the means, during the Second Session of the General Assembly, to circumvent the obstacles which had fallen in the path of the United Nations.

The initiative in this regard was taken by the delegation of the United States. The Secretary of State, General Marshall, proposed



that action should be taken by the Assembly on a number of urgent problems which threatened the peace of the world. As a specific proposal he added an offer on the part of the United States to limit by voluntary action the use which it would make of its privileged voting position in the Security Council, in the hope that other permanent members of that body would accept a similar self-denying ordinance. The United States delegate said also that his Government desired the Assembly to take action in relation to Greece, Korea and Palestine, and that it would propose that the Assembly seek means to increase the effectiveness of its own authority through the establishment of a new subsidiary body.

This desire to strengthen the United Nations through an increased use of the powers of the Assembly was shared by many delegations. It found expression in a series of important political debates and was embodied, in particular, in three resolutions, those affecting Greece, Korea and the establishment of an Interim Committee. The action taken was not in every case adequate or wise, and the Assembly at times seemed to grope in an uncertain and experimental manner toward the objective of increasing the effectiveness of its authority.

The decision taken in regard to Greece had the most demonstrable results. The reports of the Balkan Commission of the Security Council and the circumstances concerning Greece, brought out in debate during the Assembly, gave clear indication of the danger in which the Greek Government stands as a consequence of external intervention. The Security Council was incapable of coming to the assistance of the Greek Government because of the exercise of the veto by the Soviet member of the Council. The action taken by the Assembly was unquestionably of assistance to Greece in helping to prevent interference in its affairs from across its borders.

In the case of Korea, the Assembly was asked to intervene in an area where the situation was governed by a wartime agreement among the great powers. The refusal of the U.S.S.R. to permit action by the United Nations within territory occupied by its armed forces had the effect of carrying the Soviet veto into the Assembly, although it did not become certain that this would be the result until

the Temporary Commission on Korea had made an attempt to fulfil its mandate and been refused admission to the areas occupied by Soviet troops.

The discussions about the Interim Committee raised a question of more far-reaching consequence. Could the machinery of the General Assembly be developed so that its influence could be exercised continuously throughout the year and not simply during its sessions? In other words, could the authority given to the Assembly under the Charter be developed so that the Assembly could act effectively to deal with the problems of peace and security which the Security Council had not been able to settle?

The effort to provide for greater use of the Assembly in relation to these three subjects proved a difficult and contentious task. The result, however, was a constructive one. It represented the beginnings of a process of constitutional development which may in time greatly alter the relationships between the various organs of the United Nations.

The desire to make more effective the authority of the General Assembly was more than an expression of concern over the inadequate functioning of other branches of the United Nations. It was also an indication that Member States were disturbed because the United Nations had fallen short of providing the guarantee for their security which had originally been anticipated. In the minds of many delegates therefore the question was raised whether, by some means within the structure of the United Nations, the machinery for collective security could not be strengthened and developed in a manner which would, without weakening the organization, enable it to provide benefits, which until the present, have been lacking.

It was not, of course, possible for the Assembly to avoid being involved in the controversies which have arisen between the states of eastern Europe and the western democracies. The effects of the controversy were even more apparent during the Second Session of the Assembly than they had been in 1946. The attempt to strengthen the authority of the Assembly provided occasions for this controversy, and the debates on Greece, Korea, and the Interim Committee included discussions not only on the merits of these subjects but



also on the question whether the Assembly should be permitted to take action in regard to them. Other subjects, such for example as the Soviet resolution concerning incitement to war, were so basically propagandist in character and intent that they could produce little else than a political dispute.

Similarly, in the debates on South West Africa, and on the Indian resolution concerning the treatment of Indians in South Africa, racial antagonisms and the issues between colonial powers and subject peoples became involved in the discussion and confused with the broader political divisions in the Assembly. It was not possible to avoid the controversy, even in the debates on economic and social questions. Subjects of immediate practical concern from an administrative point of view, such as the resettlement of refugees or the agenda of the proposed Conference on Freedom of Information and of the Press, raised sharp issues between the Soviet Union and the Western Powers in the Social Committee, and the Economic Committee spent many hours in discussing, from a political point of view, the effect of the Marshall Plan on the economic reconstruction of Europe.

The accomplishments of the Second Session of the General Assembly were, nevertheless, of significance. The importance of the effort to increase the influence of the Assembly has already been mentioned. The debates on Palestine and the recommendations which resulted represented a serious effort to find a solution to a major problem in world affairs. Whether or not the plan for partition with economic union, as embodied in the Assembly resolution, is ever put into effect, there can be no doubt that a settlement based on international agreement must be found for Palestine, if that part of the world is to escape catastrophe.

Elsewhere in the agenda there were other topics that were discussed with constructive results. In the field of economic and social affairs, the methods by which the Assembly might exercise a co-ordinating function in relation to the growing and complex structure of international organization were explored and developed. The Trusteeship Committee considered and passed for approval new trusteeship agreements. The Committee on Administrative and

Budgetary Questions undertook a workmanlike and effective scrutiny of the finances of the United Nations, and among other things, gave approval to the arrangement for the construction of a new headquarters. The Legal Committee carried forward the proposal for the codification of international law. It also gave final reading in Committee to a revision of the rules of procedure which, when they come into effect at the next session of the Assembly, will greatly increase the efficient conduct of business.

## The Canadian Attitude

The Chairman of the Canadian delegation to the United Nations in an address made in Ottawa on the eve of his departure for the Second Session of the Assembly, and again in his opening statement at the Assembly, gave renewed assurances that membership in the United Nations is a basic principle in Canadian foreign policy, taken most seriously by the Government of Canada.<sup>1</sup>

The Canadian delegation was conscious, as were other delegations, that the Security Council had so far failed to provide the means of ensuring peace, and it shared the hope that the Assembly would provide the means for developing a strong United Nations. It therefore contributed as much as possible to the constructive work of the session, and used its influence to help offset, when possible, the influence of delegations which sought to obstruct the business of the Assembly. It endeavoured to avoid the premature development of issues which might divide the Assembly to the point where the existence of the United Nations would be endangered and gave its support to measures which were designed to strengthen the structure and operation of the organization.

The decision to accept membership on the Security Council was taken in the full realization of the heavy obligations which rest upon members of the Council. These obligations were accepted because it was considered that Canada should accept the responsibilities as well as the benefits of membership in the United Nations.

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<sup>1</sup> The text of these statements by the Chairman of the Canadian delegation is given in Appendix I, A and B, pp. 175 to 180.



The Canadian delegation also gave its support to proposals for increasing the usefulness of the Assembly. In his opening statement, the Chairman of the Canadian delegation said that his delegation would support the suggestion of the United States delegate that a subsidiary body of the Assembly should be established to carry on some of its functions when the Assembly was not in session. He stressed the fact that contentious issues for which the Security Council was intended to take primary responsibility could receive the benefit of free and frank discussion and of thorough investigation in the Assembly or in a continuing committee of the Assembly.

The Chairman of the delegation concluded his opening statement by pointing out that, in their search for security, peace-loving states might consider it necessary to form associations within the United Nations, for their collective self-defence. He said:

“Nations, in their search for peace and co-operation, will not and cannot accept indefinitely and unaltered a Council which was set up to ensure their security, and which, so many feel, has become frozen in futility, and divided by dissension. If forced, they may seek greater safety in an association of democratic and peace-loving states willing to accept more specific international obligations in return for greater national security. Such associations, if consistent with the principles and purposes of the Charter, can be formed within the United Nations. It is to be hoped that such a development will not be necessary. If it is unnecessary, it will be undesirable. If, however, it is made necessary, it will take place. Let us not forget that the provisions of the Charter are a floor under, rather than a ceiling over, the responsibilities of Member States. If some prefer to go even below that floor, others need not be prevented from moving upwards.

“Two, or more, apartments in the structure of peace are undoubtedly less desirable than one family of nations dwelling together in amity, undivided by curtains or even more substantial pieces of political furniture. They are, however, to be preferred to the alternative of wholly separate structures.

“This, you may say, is defeatism of the worst kind. It is not. It is merely sober realism. It is folly to deny that certain events of the last twelve months have weakened the position of our organization. It would equally be folly to deny that a continuation of this trend may cause it ultimately to collapse.

“Our delegation, our Government, and our Canadian people are determined to do everything they can to prevent this tragic development. Our faith and hope still shine, though now through an overcast of anxiety. The work of this Assembly, to which we pledge our contribution, will, we trust, remove that anxiety, justify that faith, and heighten that hope.”

In spite of the difficulties which lay before the United Nations when the General Assembly met in September, 1947, the Second Session was a constructive one. Decisions were taken on important questions, and issues of great consequence in regard to the role which the General Assembly will play in the work of the United Nations were raised. The questions discussed at the Second Session and the Canadian attitude to them are described in detail in this report. The report is supplemented by the texts of a number of Canadian statements and Assembly resolutions, which appear in the appendices.





## **Political Questions**





## 1. THREATS TO THE POLITICAL INDEPENDENCE AND TERRITORIAL INTEGRITY OF GREECE

On December 3, 1946, the Government of Greece drew to the attention of the Security Council, under Articles 34 and 35 of the Charter, the situation in Northern Greece where warfare was being waged by guerrilla bands, allegedly with the assistance of bordering states. In the discussions before the Security Council, the Greek representative stated that the insurgent bands were using the territories of Bulgaria, Albania, and Yugoslavia as operational bases for raids into Greek territory and argued that this situation was likely to endanger international peace and security. The Yugoslav, Albanian, and Bulgarian representatives denied the Greek charges and attributed the disturbances in Northern Greece variously to "the reactionary Greek administration", the presence of foreign troops in Greece, and the struggle for liberty and justice being waged by free Greeks, which the Greek Government was endeavouring to suppress. Faced with this contradictory evidence, the Security Council decided to set up a Commission of Investigation which should go to Greece to ascertain the facts relating to the alleged border violations and to submit a report to the Council. The Commission was composed of representatives of Member States of the Council; the Governments of Greece, Albania, Bulgaria, and Yugoslavia were invited to assist the Commission by providing officials in a liaison capacity. Just prior to the conclusion of the Commission's investigations in Greece, the United States member of the Security Council proposed that a subsidiary group of the Commission should be maintained in the area pending further decision by the Security Council. This resolution was opposed by the representatives of the Soviet Union and Poland, who, however, abstained in the final voting. The United States proposal with minor amendments was adopted.

The report presented to the Security Council by the Commission of Investigation on May 27, 1947, contained majority and minority findings on the causes of the situation in Northern Greece and recommendations, on which there was not complete agreement, on measures to be taken to avert further disturbances. The representatives on the Commission of Australia, Belgium, Brazil, China, Colombia, Syria, the United Kingdom, and the United States had concluded that Yugoslavia, and to a lesser extent Albania and Bulgaria, had supported the guerrilla warfare in Greece by giving military training to refugees from Greece, supplying arms, food, clothing, transportation to the border, and hospitalization. The conclusions of the Soviet and Polish representatives were along the lines of the statements made earlier by Albania, Yugoslavia, and Bulgaria before the Security Council and were based on the contention that the evidence supplied to the Commission in Greece was not trustworthy. These representatives reported that the guerrillas were armed and supplied with goods captured from regular Greek units, and not from external sources.

In the discussion which followed the presentation of the report to the Security Council, the Soviet and Polish representatives continued to hold the Greek Government responsible for the internal disorders in Greece. They vetoed various resolutions proposed by other members of the Council, certain of which called on Albania, Bulgaria, and Yugoslavia to cease from rendering further assistance to the Greek guerrillas and directed the subsidiary group of the Commission of Investigation to report to the Security Council on the compliance of these countries with this direction. After all proposals made in the Council had been voted on without agreement being reached the President ruled that there would be no further meetings on the Greek question if none were requested, and suggested that there was nothing left for the Council to do except report progress achieved on the question to the General Assembly. As a result of the failure of the Security Council to take any action in spite of various efforts at compromise, the United States, on August 20, 1947, requested the inclusion in the agenda of the General Assembly of an item entitled "Threats to the Political Independence and Territorial Integrity of Greece".



In the First Committee (Political and Security) of the General Assembly, where the situation in Greece was considered, the United Kingdom and the United States representatives argued that, as a result of the Commission's investigations, it was clear that Yugoslavia and to a lesser extent Albania and Bulgaria, had openly aided the guerrillas in Greece. In reply, the Soviet and Polish representatives denied the majority findings of the Commission and questioned the reliability and integrity, not only of the witnesses before the Commission and their evidence, but also of certain members of the Commission itself. The charge was repeated that the Greek Government was corrupt and tyrannical, and was responsible for the internal disorders in Greece, as well as for the frontier incidents. It was argued that the United Kingdom and the United States were the main supporters of the Government of Greece and that this whole question had been raised merely as an excuse for United Kingdom and United States intervention in Greece for the purposes of gaining political and military advantage. These charges were refuted in detail by Greece, the United Kingdom, and the United States, all three pointing out that British troops had been invited into Greece in 1944 to help drive out the Germans and to assist in maintaining order and that they were remaining in Greece as a result of the Greek Government's request. Similarly, United States economic and military aid to Greece was stated to be the direct result of a specific request for such aid by the Greek Government.

To these main issues a subsidiary one was added which provoked equally acrimonious debate. In the second meeting of the Political Committee, the Soviet representatives asked for the admission of representatives of Albania and Bulgaria to the Committee's discussions so that they could answer any charges brought against them. Various western states wished to have a declaration made by the representatives of Albania and Bulgaria that, prior to their admission to the discussions of the Committee, they would agree to abide by the decision of the General Assembly in the solution of this problem on the basis of the principles of the pacific settlement of disputes as laid down in the Charter. The replies of the representatives of these two governments to this invitation were equivocal. It was finally decided that the representatives of Albania and Bulgaria

should be admitted on the understanding that they would reply to questions which might be put to them, but that they would not take part in the discussion on a basis of equality with the other members of the Committee. The Soviet and certain other eastern European representatives objected to any conditions being attached to the admission of these representatives, but these objections were overruled.

The United States, which had placed this question on the agenda of the General Assembly, introduced a resolution which was based upon the record of the Security Council proceedings in connection with the complaints of the Greek Government, and also on the reports submitted by the Commission of Investigation and its subsidiary group. The resolution found that Albania, Bulgaria, and Yugoslavia, in contravention of the principles of the Charter of the United Nations, had given assistance and support to the guerrillas fighting against the Greek Government and called upon Albania, Bulgaria, and Yugoslavia to cease from rendering assistance or support in any form to the insurgents. The Governments of these three countries on the one hand and Greece on the other were called on to co-operate in the settlement of their disputes by peaceful means, and the resolution recommended that they re-establish both normal diplomatic relations and frontier conventions and that they should settle between themselves the various problems arising out of the presence of refugees and of minorities. The United States draft resolution further called for the establishment of a special committee to observe the compliance by the four Governments concerned with the foregoing recommendations, and to assist the four Governments in their implementation. It was also resolved that the Special Committee should be authorized, if it were considered necessary, to recommend to the Members of the General Assembly that they should consider the problem of Greece. Under this proposal the Committee was to have its headquarters in Salonika and to report to the next regular session of the General Assembly or to any special session called.

The Soviet Union introduced a counter-resolution based on the claim "that the existing situation in Greece was to a great extent the result of foreign interference in the international affairs of



Greece". This resolution called for the bilateral settlement of the various minority problems, for the withdrawal of all foreign troops and military personnel from Greece and, within three months, for a report to the Secretary-General by the governments concerned on the implementation of these recommendations. Finally, the Soviet resolution would have established "a special commission to guarantee by appropriate supervision the utilization [of foreign] economic aid solely in the interests of the Greek people".

As the debate on these two resolutions proceeded, it became clear that the specific condemnation of Albania, Bulgaria, and Yugoslavia, as proposed in the United States draft resolution, was not favoured by all the delegates in the Committee. As a result, the French delegate, supported by M. Spaak of Belgium, in an endeavour to reach a compromise that would be acceptable to both sides, advocated an amendment removing the specific condemnation in the United States draft resolution and setting up a special committee merely to facilitate the peaceful settlement of the problem by the four Governments. He further suggested that an enquiry should be made as to whether the four Governments concerned would co-operate with such a committee and would subscribe to the principles of the peaceful settlement of the problem. The United States delegation accepted this modification of its proposal with the proviso that if the governments concerned refused their co-operation, the United States would support its original resolution. The Soviet Union denounced this proposal as a "horse trade", and its representative claimed that this retreat from the original United States stand constituted an admission by the United States of inability to prove the guilt of Albania, Bulgaria, and Yugoslavia. Greece accepted the invitation to co-operate with the projected committee, while the other three Governments made no such undertaking.

With the close of the general debate, it was finally decided to commence voting on the last half of the United States resolution which dealt with the proposed means of settling the disputes and with the establishment of a special committee. The paragraphs were all adopted, in spite of the opposition of the eastern European States. Further discussion then took place in regard to the membership of this committee. The original United States proposal had been that

the committee should be composed of the five Great Powers and of the representatives of Australia, Brazil, Mexico, the Netherlands, Pakistan, and Poland. There were various other suggestions from some Latin-American States that the committee should be composed of the non-permanent members of the Security Council on the one hand and of selected experts on the other. As soon as the United States had made its proposal, the representatives of the Soviet Union and other eastern European States announced that they would neither participate in the committee nor in the election of its members. A Canadian proposal was finally adopted to the effect that the Special Committee should be composed of Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom and the United States, two seats being held open for Poland and the Soviet Union.<sup>1</sup>

When the time came to vote on the section of the United States resolution which laid blame upon Albania, Bulgaria and Yugoslavia for having assisted the guerrillas in Greece, various amendments were offered in an attempt to remove the specific condemnation of the three Governments named. A United Kingdom-French amendment was accepted which read:

“taking account of the report of the Commission of Investigation which found by majority vote that Albania, Bulgaria and Yugoslavia had given assistance and support to the guerrillas fighting against the Greek Government; ‘calls upon Albania, Bulgaria and Yugoslavia to do nothing which could furnish aid and assistance to the said guerrillas’ ”.

The resolution, as amended, was finally adopted by 36 votes to 6, with 10 abstentions.

When the resolution on the Greek question was discussed in the plenary session of the General Assembly, the delegation of the U.S.S.R. reiterated its view and reintroduced its original resolution condemning United States and United Kingdom interference in Greece and calling for the withdrawal of United Kingdom and United

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<sup>1</sup> The text of the Canadian statement on the Composition of the Special Committee is given in Appendix I, C, pp. 180 and 181.



States troops. Poland also presented a resolution which called simply for the withdrawal of United States and United Kingdom troops and missions from Greece.

The United States resolution, as amended in committee, was finally adopted, 40 to 6, with eleven Members abstaining, the abstentions including the Arab States, the Scandinavian States and India.<sup>1</sup> The Polish and Soviet resolutions were then decisively rejected. Canada voted with the majority in each case.

## The Canadian Attitude

Canada's attitude to the Greek problem was defined on October 6 when the Canadian delegate said that after careful study the Canadian delegation had accepted the conclusions of the Commission of Investigation. Furthermore, the Assembly could take action under Articles 11 and 14 of the Charter and the establishment of a commission to co-operate on the spot with the various states could not be considered as an infringement of their sovereignty. The following paragraphs from the Canadian statement sum up the attitude of the delegation in regard to the United States resolution and the French amendment:

"In view of the serious situation which has been shown to exist in the Balkan peninsula, the Canadian delegation considers that the Assembly should take action immediately towards the maintenance of peace and security in that area. We do not, however, consider that the resolution submitted by the Soviet delegation, insofar as it is based on mere countercharges against the Greek Government, contributes towards the solution of the problem.

"We have come to the conclusion therefore that we should support the operative parts of the United States resolution and especially the proposal to establish a special committee.

"We have, however, been impressed by the amendment put forward by the French delegation to Paragraphs 3 and 4 of the preamble to that resolution and by the argument that what is required now in respect to this unhappy business is conciliation rather than condemnation, prevention rather than punishment, a forward rather than a backward look . . . ."

"If, however, Yugoslavia, Bulgaria, and Albania refuse to accept this special committee and undertake to co-operate in its work, great doubt would arise as to the willingness of these three States to reach a

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<sup>1</sup>The text of this resolution is given in Appendix I, D, p. 181.



peaceful solution of the problem and the case for the acceptance of the United States proposal in its original form would then be compelling, and we would be prepared to support it."

As the debate developed, however, the desire for a more conciliatory resolution than that proposed by the United States became generally prevalent. The Canadian delegation modified its position and voted for the United Kingdom-French amendment which was incorporated in the United States resolution.

## 2. THE INDEPENDENCE OF KOREA

At the Cairo Conference in December, 1943, the United States, the United Kingdom, and China agreed "that in due course Korea should become free and independent" and the three Powers undertook to ensure the future security, independence and economic well-being of Korea. The Cairo pledge was reaffirmed in the Potsdam Declaration of July, 1945, and subscribed to by the Soviet Union when it entered the war against Japan.

At the Moscow Conference in December, 1945, the Foreign Ministers of the Soviet Union, the United Kingdom, and the United States issued a declaration concerning the establishment of an independent Korea. The Government of China later adhered to this statement. In the declaration on Korea it was agreed to establish a joint United States-Soviet Commission to meet in Korea and, through consultations with Korean democratic parties and social organizations, to decide on methods for establishing a Provisional Korean Government. The Joint Commission was then to consult with the Provisional Government in order to work out measures to assist the political, economic and social development of the Korean people. It was agreed that the proposals of the Joint Commission to achieve these ends should be submitted for consideration to Governments of the United States, the U.S.S.R., the United Kingdom, and China with a view to the establishment of a four-power trusteeship for Korea for a period of up to five years. It was envisaged that the trusteeship period would precede the granting of absolute independence.

In the ultimate event, it proved impossible for the United States and Soviet representatives to co-operate through the Joint Commission to achieve the objective of the Moscow Agreement. As a result, the temporary division of Korea at the 38th parallel between the United States and Soviet authorities was continued. This arbitrary division, which was introduced for purposes of the occupation at the end of the war, has seriously crippled the Korean economy, since the industrial centres are in the north and the agricultural areas in the

south. Normal intercourse between the two zones of occupation has not been possible. The Joint Commission met on a limited number of occasions and failed to agree on any question of importance.

In an effort to achieve some progress towards the establishment of an independent Korean State, the United States proposed the convening of a four-power conference to discuss proposals for implementing the Moscow Agreement. The Soviet Union, however, declined this invitation. The United States then proposed that the agenda of the Second Session of the General Assembly should include an item entitled "The Problem of the Independence of Korea". In his opening speech before the plenary session of the General Assembly on September 17, 1947, the United States representative stated:

"Although we shall be prepared to submit suggestions as to how the early attainment of Korean independence might be effected, we believe that this is a matter which now requires the impartial judgment of the other Members. We do not wish to have the inability of two Powers to reach agreement delay any further the urgent and rightful claims of the Korean people to independence".

In the First Committee of the General Assembly, the United States representative introduced a resolution which proposed that elections should be held in North and South Korea, not later than March 31, 1948, under the control of the United Nations, as an initial step towards the creation of a National Assembly and the establishment of a National Government in Korea. It was proposed to set up a United Nations Temporary Commission, to be present in Korea during the elections and to be available for such consultations as were appropriate in connection with the elections, the subsequent organization of a National Assembly and the formation of a Government.

The Soviet representative responded to the United States initiative on the subject of Korea by himself proposing a resolution which called for the withdrawal of all Soviet and other occupation troops in Korea at the beginning of 1948, in order that the Korean people might establish a National Government without foreign interference. This proposal was not acceptable to a majority of the Members of United Nations.

At this juncture a procedural issue was introduced into the debate by the Soviet representative, who requested the Committee to invite elected Korean representatives to attend the Committee's



discussions of the problem and present their views. As no elected Korean representative was available, this proposal obviously was designed merely to delay the consideration of the question in the United Nations. On these grounds, the majority of the Committee, including Canada, objected to the Soviet suggestion, although subscribing to the principle that Korean representatives should eventually be heard.

The United States thereupon introduced an amendment to the Soviet resolution which affirmed the principle of consultation with elected Korean representatives and proposed the setting up of a Temporary United Nations Commission, similar to that proposed in the original United States resolution, to go to Korea to ensure that the representatives elected in Korea, were, in fact, duly elected and not the mere appointees of military authorities. Against Soviet opposition this amendment was finally adopted by a large majority. The Soviet Union and the other eastern European States refused to participate in the voting and thereafter announced that they would take no part in the United Nations Temporary Commission which had been proposed in the resolution.<sup>1</sup>

When the problem of Korean representation in the discussions had been resolved in this way, the United States reintroduced its original resolution, revised to conform with the procedural decision which had established the United Nations Temporary Commission on Korea. This revised resolution embodied Indian and Chinese suggestions which called for the Korean general elections to be held on a national, and not a zonal basis, under the control of the United Nations Commission. It was further proposed that, with the establishment of a Korean National Assembly and of a Korean National Government, the Government of Korea should then constitute its own security forces and should arrange for the withdrawal of all occupation troops in consultation with the United Nations Commission. This amendment was designed to make possible the participation of China in the eventual establishment of Korea's independence. The United States also accepted a Philippine amendment which forbade foreign interference in Korea, except at the request of the United Nations.

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<sup>1</sup>The text of the United States amendment is given in Appendix I, E, p. 183.

The United States proposed that Australia, Canada, China, El Salvador, France, India, the Philippines, Syria, and the Ukraine should be represented on the Temporary Commission. These States, with the exception of the Ukrainian Soviet Socialist Republic, agreed to serve. The Ukraine refused to participate in the work of the Commission.

The United States resolution, as amended, was adopted in Committee by 46 votes to 0 with 4 abstentions, the latter including the Scandinavian countries. Canada voted for the resolution and the U.S.S.R., Poland, Yugoslavia, Byelorussia, the Ukraine, and Czechoslovakia did not participate in the voting.<sup>1</sup>

The two resolutions setting up the United Nations Temporary Commission on Korea and outlining the plans for Korean independence under the guidance of this Commission were adopted in plenary session by 43 to 0 with 6 Members abstaining. The abstentions included the Scandinavian States and some Arab States. Canada voted in the affirmative, and those States which had not participated in the voting in the First Committee again took no part in the proceedings. The Soviet Union then reintroduced its original resolution, calling for the evacuation of all occupation troops from Korea by January 1, 1948. This resolution was rejected.

### **The Canadian Attitude**

The Canadian representative, in a statement in the First Committee on October 30, said that the failure of bilateral negotiations over the independence of Korea had resulted in this question being placed on the agenda of the General Assembly. He noted the United States and Soviet agreement over the fact that the present occupation forces in Korea must be withdrawn, as well as the important differences over the methods of procedure to be adopted to give effect to this withdrawal. The Canadian representative summed up the Canadian attitude to the United States proposal in the following words:

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<sup>1</sup> The text of the United States resolution as adopted by the First Committee and approved by the General Assembly on November 14 is given in Appendix I, F, pp. 183 to 185.

"The Canadian delegation will support the approach of the United States rather than the proposal of the Soviet Union. It seems to our delegation that a premature withdrawal of occupation forces, which were originally put in that country to enable the Korean people to achieve the degree of unity of purpose and stability necessary to the establishment of a national and independent government, would serve only to precipitate chaos and disunity, especially in view of the political and economic division which has been imposed upon the country during the occupation. Moreover, the reference to 'foreign' interference hardly seems a valid objection to apply to the United States proposal to establish a United Nations Temporary Commission on Korea, to supervise the freedom of elections in the country, to assist in the organization of a democratic form of government and the withdrawal of the occupying forces. Surely the very purpose of such a commission would be to provide observers to ensure that the Korean people could, in fact, establish their own government by free elections without foreign interference."



### 3. TREATMENT OF INDIANS IN SOUTH AFRICA

The question of the treatment of Indian nationals in the Union of South Africa was debated during the second part of the 1946 session of the General Assembly and the following resolution was adopted:

*The General Assembly,*

*Having taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa, and having considered the matter:*

1. *States that, because of that treatment, friendly relations between two Member States have been impaired and, unless a satisfactory settlement is reached, these relations are likely to be further impaired;*

2. *Is of the opinion that the treatment of the Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments and the relevant provisions of the Charter;*

3. *Therefore requests the two Governments to report at the next session of the General Assembly the measures adopted to this effect.*

The complaint of the Indian Government to the United Nations, which resulted in the adoption of this resolution, was made under Articles 10 and 14 of the Charter, which give the Assembly power to discuss and make recommendations for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from the violation of provisions of the Charter which set forth the purposes and principles of the United Nations. The Indian representative alleged that the South African Government was responsible for discriminatory treatment of Asiatics in general and Indians in particular on the grounds of their race. This, it was stated, constituted a denial of human rights and fundamental freedoms and was contrary to the United Nations Charter. The policy of the South African Government in general, and the enactment of the Asiatic Land Tenure and Indian Representation Act, 1946, in particular, were said to impair friendly relations between South Africa and India.

During the debate of the First Session, the South African Government claimed, under Article 2, paragraph 7 of the Charter<sup>1</sup>, that the United Nations had no right to intervene in regard to the treatment of Indians in South Africa, although no objection was taken to the matter being freely discussed. South Africa proposed that an advisory opinion should be sought from the International Court of Justice as to whether or not the matters complained of were within the domestic jurisdiction of the Union of South Africa. This proposal was supported by the Canadian delegation, as well as by the delegations of the United Kingdom and the United States, but was defeated.

The resolution of the First Session had no effect on the situation in regard to Indians in South Africa or on the relations between the Indian and South African Governments. The Indian Government therefore placed the subject again on the agenda of the General Assembly. In the First Committee where the question was considered, South Africa opened the debate by presenting its defence as regards the implementation of the Assembly resolution. The South African representative claimed that this failure could be attributed to a difference of opinion concerning the interpretation of the resolution, to the non-return of the Indian High Commissioner to South Africa and to the trade embargo which India had placed against South Africa in goods. He stated that South Africa could not accept the condemnation implicit in the 1946 resolution as a basis for further discussions. His Government could not enter a conference room already condemned as a violator of international agreements and of the Charter.

The Indian representative, Mrs. Pandit, said that the Indian Prime Minister had done everything in his power, through his correspondence during the last six months with Field Marshal Smuts, to bring the two parties together. She stated that there would be no point in sending an Indian High Commissioner to South Africa for the purpose of further negotiations when the Smuts-Nehru correspondence showed that no basis existed for a settlement;

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<sup>1</sup> "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter."



furthermore, India had only broken off her trade relations with South Africa after having given due warning and as a result of the repeated persecution of Indian residents in South Africa by the Union Government. The Indian representative concluded her statement by saying that South Africa was dividing the United Nations, that South African legislation was highly discriminatory, and that the General Assembly must now take steps to make last year's resolution effective. An Indian resolution was then introduced for this purpose.

When the South African and Indian positions had been defined in these statements, various delegations suggested solutions which might be acceptable to both Governments. Two courses, in particular, were proposed. One was to refer the matter to the International Court for an advisory opinion. It was pointed out, however, that this proposal had been rejected in 1946, and that it would be difficult to reverse this decision. The other suggestion was that a resolution might be prepared which would take note of last year's resolution and ask the two Governments to undertake the negotiations which had then been suggested. It was hoped by some delegations that it might be possible to secure the adoption of a resolution of this nature as an alternative to the more critical Indian proposal. This movement of conciliation was led by Norway and Mexico, which submitted amendments to the Indian resolution, and was supported by Pakistan. Belgium, Brazil, and Denmark, supported by the United States, introduced a joint alternative resolution. This resolution contained no condemnation, explicit or implicit, of South Africa's past actions.<sup>1</sup> Its operative paragraph expressed the wish that

"the parties should continue their efforts with a view to reaching an agreement directly settling their dispute, and that, should they fail to reach such an agreement, they should submit the dispute to the International Court of Justice".

The debate ended when the South African representative, in an endeavour to reach some mutually acceptable basis for the resumption of negotiations with India, asked whether India would agree to negotiate on the basis of no prejudice to either party. The Indian delegate replied that so long as the Asiatic Land Tenure Act of 1946 remained on the Statute Books of South Africa, India could enter into

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<sup>1</sup>The full text of this resolution is given in Appendix I, G. p. 185.



no relations with South Africa. She concluded that the only basis on which India was prepared to start discussions was that of the Assembly resolution of 1946.

In the voting on the proposals before the Committee, the Norwegian amendment was defeated and India then accepted the Mexican amendment which deleted a paragraph from the Indian resolution, expressing regret over the failure of the South African Government to give effect to the resolution of the Assembly in 1946.

A Colombian proposal to establish a seven-member committee to examine with India, Pakistan, and South Africa the basis on which negotiations between India and South Africa could be resumed was defeated, Canada voting for this proposal. The Indian resolution, as amended by Mexico, was then adopted in Committee, 29 to 15 with 5 abstentions. Canada, together with the United States and the United Kingdom, Australia, Belgium, the Netherlands, and New Zealand, voted against the resolution, basing its objection on those paragraphs of the resolution which reaffirmed last year's resolution and which expressed regret that South Africa had failed to take steps to implement the Assembly's previous resolution.

In the plenary session of the General Assembly on November 21, 1947, the Indian resolution, as amended by Mexico, which had been adopted in Committee, gained only 31 votes with 19 votes being cast against it, and 6 abstentions. The affirmative votes were less than the two-thirds majority required for adoption and the resolution was rejected. A counter-proposal, presented jointly by Belgium, Brazil, Cuba, Denmark, and Norway, which called upon the two Governments and the Government of Pakistan to continue their efforts to reach an agreement through conference, mediation or conciliation, and, failing that, to submit the question to the International Court, was also defeated. The vote was 24 in favour and 29 against with 3 abstentions. Canada voted against the Indian proposal and in favour of the joint proposal.

The Assembly thus took no action in regard to the Indian-South African dispute.

## The Canadian Attitude

In the First Committee, on November 17, the Canadian representative stated that Canada's principal concern was to see a friendly settlement of the dispute between the two parties. <sup>1</sup>He said that the Assembly resolution should not contain a judgment against either party, since the facts and the law in dispute had not been established by an impartial tribunal. As a result, Canada could not support the Indian resolution which contained such a judgment against South Africa. The Canadian delegation supported the joint Belgian, Brazilian, and Danish resolution, and also the Norwegian amendment to the Indian resolution which proposed deletion of the last four paragraphs of that resolution and which substituted paragraphs calling for a round-table conference and, failing agreement there, reference of the question to the International Court.

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<sup>1</sup>The text of the Canadian statement is given in Appendix I, H, pp. 185 and 186.

#### 4. PALESTINE

The question of Palestine was referred on April 2, 1947, to the Secretary-General of the United Nations, for inclusion on the agenda of the General Assembly, by the Government of the United Kingdom, which asked the Assembly to make recommendations concerning the future government of Palestine. The Assembly began its study of the question at a special session, April 28 to May 15, 1947, when it set up a Special Committee on Palestine (UNSCOP) to prepare the ground for fuller consideration of the matter during the second regular session of the Assembly.

The Special Committee, composed of persons chosen from eleven countries, including Canada, visited Palestine in June and July and subsequently prepared a set of agreed principles on which a Palestinian settlement should be based, together with majority and minority proposals as to how these principles should be applied. The majority, seven members including the Canadian member, favoured partition with economic union. The minority, three members, favoured a federal state. The eleventh member, nominated by Australia, maintained that in the absence of a unanimous decision all plans for the future government of Palestine studied by the Special Committee should have been outlined for consideration by the Assembly, since only the Assembly was competent to decide which of them could be carried out.

In September the Assembly created an *ad hoc* Committee on the Palestinian Question, which found for its consideration three matters—the original submission of the United Kingdom, the report of UNSCOP and a proposal of Saudi Arabia and Iraq that the mandate should be terminated and Palestine recognized as an independent unitary state. During the general debate in the *ad hoc* Committee, little was heard of the UNSCOP minority plan for a federal state. Only two proposals received general consideration at this stage of the proceedings—the UNSCOP majority plan for partition with economic union, which the Jewish Agency accepted, and the proposal of Iraq



and Saudi Arabia for an independent unitary state, which the Arab Higher Committee supported. The Chairman, Dr. Evatt of Australia, accordingly appointed two sub-committees which were instructed to work out practical plans for partition and a unitary state respectively, before the *ad hoc* Committee should be called upon to make its choice between these two principles. Sub-committee I was composed of delegations which had supported partition in principle, Sub-committee II of delegations which had supported or seemed likely to support a unitary state. The Chairman himself presided over a third sub-committee, which was authorized to explore the possibilities of conciliation, and which eventually reported that it had been unable to make progress.

Sub-committee II brought in three draft resolutions, none of which was adopted by the *ad hoc* Committee. The first called for advisory opinions from the International Court of Justice on eight questions relating to the justice or legality of measures already adopted in Palestine or proposed for the future. Reference to the Court of the last question—whether the United Nations or any of its Members were competent to recommend or enforce partition or any other proposal against the wishes of the inhabitants—was rejected by a vote of 20 to 21, with 13 abstaining and 3 absent. Canada voted against the reference of any of the eight questions to the International Court of Justice.

The second draft resolution presented by Sub-committee II concerned the settlement of Jewish refugees elsewhere than in Palestine. It contained three articles. A majority of the *ad hoc* Committee favoured two of these, which proposed that countries of origin should be requested to take Jewish refugees and displaced persons back and that unrepatriated Jewish refugees and displaced persons should be absorbed in territories of the Members of the United Nations. The third article proposed that resettlement in the territory of Member States should be arranged on a quota basis by a special United Nations Committee. This was defeated.

Canada voted against all three articles, since it has always maintained that there should be no discrimination on racial grounds in dealing with European refugees. After rapid and confused voting on clauses of the preamble, the resolution as a whole was put and

received only 16 favourable votes, tying with 16 opposed. There were 23 abstentions. The vote was reported to the General Assembly but the matter was not discussed again since the Assembly had already dealt with the question of resettlement of refugees and displaced persons in general.

The third draft resolution of Sub-committee II provided for the establishment of a single provisional government in Palestine representing all important sections of the citizenry in proportion to numerical strength. This government would hold elections for a Constituent Assembly as soon as practicable and be responsible to the latter body until elections to a regular legislature were held. Basic principles guaranteeing minority rights and democratic elections were to be written into the constitution. This proposal was rejected by a vote of 12 to 29 with 14 absentions. Canada voted with the majority against it. Delegates voting for the proposal included the representatives of ten Asiatic States, Egypt and Cuba.

The proposal of Sub-committee I for partition with economic union was then adopted by the *ad hoc* Committee, with a number of amendments, by a vote of 25 to 13 with 17 abstentions. Four days later, in the General Assembly, the same proposal was adopted by a vote of 33 to 13 with 10 abstentions. Thirteen European and thirteen Latin American States as well as four Commonwealth countries and the United States favoured it. All Asiatic States opposed it except China which abstained and Siam which was absent. On the second last day of the session the French delegation moved a twenty-four-hour adjournment in order that an opportunity might be given for a final effort to reach an agreed solution. Canada voted in favour of adjournment, although the motion was opposed by the United States and the Soviet Union. The Lebanese delegate then produced on the closing day of the Assembly a proposal for a federal state with separate Arab and Jewish cantonal governments. The constitution of the United States and the organic laws of the States of the Union were to serve as guides to the constituent assembly of Palestine in planning the federal and cantonal governments respectively.



The proposal was supported by a motion of adjournment until January 13, brought forward by the delegate of Iran. The motion for adjournment was set aside, however, by the Chairman's ruling that the vote on partition must be put first. Adoption of the partition proposal immediately afterward made it unnecessary to consider the Lebanese compromise proposal. It was not clear to what extent this plan commanded the support of other Arab States or of the Arab Higher Committee and it was brought forward too late for its adequate scrutiny. After the Assembly's decision was taken, representatives of Pakistan and the Arab States declared one by one that they regarded the Assembly resolution as a violation of the Charter, not binding upon their respective governments. They reserved their rights under the Charter to oppose the carrying out of partition.

The plan for the future government of Palestine embodied in the Assembly resolution of November 29 included the following provisions:

- (a) Palestine would be divided into a Jewish State, an Arab State and the City of Jerusalem. The Jewish State—about 55 per cent of the whole—would be composed of three segments connected at two intersection points. The three main segments of the Arab State would be joined at the same points of intersection. The city of Jaffa, however, would be an enclave separated from the remainder of the Arab State. The City of Jerusalem, including the town of Bethlehem, would be a demilitarized area administered by a United Nations Governor, who was to be appointed by the Trusteeship Council and remain responsible to that body.
- (b) Freedom of transit and visit throughout the whole of Palestine would be guaranteed to all residents and citizens of the Jewish and Arab States and of the City of Jerusalem, but immigration and residence would be controlled by the Administration of each political unit.
- (c) An economic union comprising the Arab and Jewish States and the City of Jerusalem would be administered by a Joint Economic Board of nine members. Three would be foreigners appointed by the Economic and Social Council, three would represent the Jewish State and three the Arab State. Their function would be to create a customs union, manage a joint currency system, plan joint economic development, ensure access to water and power facilities for both States and for the City of Jerusalem, and operate railways, interstate highways, ports and airports, posts, telephone and telegraphs. They would allocate surplus customs revenues, giving the Arab State up to £4,000,000 annually from this source for at least the first five years.



- (d) Existing rights in respect of holy places would be maintained. To protect the holy places and maintain order the Governor of the City of Jerusalem would recruit a special police force outside of Palestine.
- (e) Arabs living in the Jewish State or in the City of Jerusalem might opt for citizenship of the Arab State. Conversely, Jews living in the Arab State or in the City of Jerusalem, might opt for citizenship of the Jewish State.
- (f) The mandate would be terminated as soon as possible, but not later than August 1, 1948, when the withdrawal of British forces was to be completed. After the mandate came to an end, the British would hand over administrative authority, in the areas from which their forces had actually withdrawn, to a five-man Commission of the United Nations which would be responsible for determining the boundaries of the two States. The Commission in turn, would transfer administrative authority to Jewish and Arab Provisional Councils of Government. Each of the latter, under the supervision of the Commission, would recruit an armed militia and hold elections for a Constituent Assembly. Each Assembly would choose a Provisional Government and proceed with the task of drawing up a constitution. The Constituent Assemblies were to be elected by October 1, 1948, at the latest.

## The Canadian Attitude

As has been indicated, the discussion on Palestine, leading to the adoption by the General Assembly of the plan for partition with economic union, took place in three stages. When the session opened, an *ad hoc* Committee on Palestine, consisting of all Member States, was established, and a preliminary general debate took place in this Committee. The second stage was discussion in detail of a plan for partition in a sub-committee and in several working groups, notably one of four members set up by the sub-committee to deal with the question of implementation. A second sub-committee, consisting of Arab States and some of their supporters, worked out a detailed plan for the establishment in Palestine of a unitary state in which the existing Arab majority would have a dominant position. These plans, one for partition and one for a unitary state, were then debated in the *ad hoc* Committee and in the Assembly during the concluding stage of the discussion.

When the debate on Palestine opened in the *ad hoc* Committee, the first object of the Canadian delegation was to determine as soon as possible the attitude towards the Palestine problem of the major powers, which had not been made completely clear during the special

session of the Assembly in April and May, 1947, and in particular to discover whether any measure of agreement now existed amongst them. The statements made during the opening debate together with information gained through private enquiry, showed that the initial position was, briefly, as follows:

- (a) The United States supported partition, generally along the lines of the majority plan of UNSCOP. The United States statement was vague in regard to details, but implied that partition should be put into effect by the mandatory power, with United Nations assistance in meeting economic and financial problems and problems of law and order during the transition period. The latter might be done through a volunteer international constabulary recruited by the United Nations.
- (b) The U.S.S.R., which in the spring had expressed its preference for a bi-national state, now also supported partition, on the grounds that the prevailing tension made co-operation in a bi-national state difficult to achieve. The Soviet statement stressed the importance of the plan for economic union, expressed the hope that the boundaries might be drawn on a different plan, and pointed out that some authority should be appointed to implement the plan for partition after the termination of the mandate.
- (c) The United Kingdom announced its intention to surrender the mandate and to withdraw from Palestine at the earliest possible date. The United Kingdom delegate added that if the plan adopted were not acceptable to Jews and Arabs the United Kingdom Government would not feel able to implement it. The United Kingdom Government was not itself prepared to impose a settlement by force of arms and if asked to participate with others in enforcing it would have to take into account both the inherent justice of the plan and the amount of force that would be needed to impose it.
- (d) The Jewish Agency accepted the plan for partition with economic union although it represented a "serious attenuation" of their original demand for an undivided Palestine under Jewish control, in which responsibility for immigration and economic development would be transferred without delay to the Jewish Agency.
- (e) The Arab States denied the legality of the Balfour Declaration, the mandate and the right of the United Nations under the Charter to partition Palestine. They asserted that the only juridically sound solution would be the immediate establishment of an independent unitary state under the control of an elected government, in which Arabs and Jews would serve together in the proportions which the electorate desired.

The Canadian delegation did not adopt any position on Palestine until the debate during the first stage of the discussion was well advanced. On the basis of the statements of general principle which had been made, the delegation came to the conclusion that the only



proposal that gave any promise of providing a settlement was partition and that this plan in some form would probably be adopted. The delegation in forming this judgment did not overlook the fact that partition would almost certainly be resisted, and would at best lead to a measure of disorder. No other proposal, however, seemed more likely to avoid disorder, least of all a suggestion to the effect that the authority, both civil and military, of the mandatory power should be withdrawn without any attempt being made by the United Nations to make adequate provision for a successor government.

The delegation therefore accepted partition as a basis for discussion.<sup>1</sup> It pointed out, however, that no plan should be adopted finally until the method of its application had been considered and defined. The delegation therefore proposed that discussions of the partition plan in sub-committee should include an examination of methods for implementation and enforcement. This suggestion was in contradiction to the attitude of some delegations, which preferred to proceed on the assumption that all Members would co-operate in carrying out a recommendation of the Assembly and that the United Kingdom would be responsible for suppressing any disturbances which might arise. This attitude seemed to the Canadian delegation to be unrealistic and impractical. The Canadian view in this regard was accepted and when the second stage of the discussion began in sub-committee, one of the details to which consideration was given was the method by which partition could be put into effect and, if necessary, enforced.

During the second stage of the discussion, the attitudes and objectives of the major powers became clearer and more specific. As in the earlier discussions the Canadian delegation considered that its first responsibility was to determine and analyse these policies. The conclusions which the delegation reached were, briefly:

- (a) The proposals of the United States delegation for the settlement of the Palestine question would not specifically commit any Member State to direct intervention in that area. The United States delegate, Mr. Herschel Johnson, offered to the sub-committee a plan for implementation which made the date of termination of the mandate coincide with the date of independence of the two States. This arrangement implied that although a Commission of the Assembly would supervise the process of setting up

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<sup>1</sup>The text of the opening statement by the Canadian representative on the Palestinian question is given in Appendix I, I, pp. 186 to 189.



the two States, the mandatory administration would provide orderly government and United Kingdom forces would back up the work of the Commission, although this was precisely what the United Kingdom delegate had stated his Government would not be able to do. The United States delegation was also opposed to the Security Council being given any responsibility for the settlement in Palestine.

- (b) In accepting partition, an important objective for the Soviet Union seemed to be to secure the withdrawal at the earliest possible date of the United Kingdom forces. The Soviet delegate therefore proposed that the mandate should terminate on January 1, that the United Kingdom should withdraw its troops by April 30, and that a Commission of the Security Council should prepare the new States for independence. The U.S.S.R. seemed to consider it particularly important that the United Nations Commission in Palestine should be able to ensure that United Kingdom forces were completely and unequivocally withdrawn. Although the original proposals of the U.S.S.R. contained references to the role of "democratic" parties in Palestine which suggested that new political organizations must be sought in that area, as the discussions developed the Soviet delegation did not prevent the adoption of proposals which would enable the United Nations Commission to transfer power directly to indigenous political bodies.
- (c) During the detailed discussions, the United Kingdom Government maintained its official attitude of detachment. In general, the United Kingdom delegates avoided being drawn into the discussions at any point and continued to refrain from expressing any views on the merits of the proposal for partition.

The Canadian representative in the sub-committee made an analysis of the various plans which had been presented for putting partition into effect and pointed out weaknesses which existed in all of them.<sup>1</sup> He stated that any plan of implementation must be constitutionally sound, practicable and effective, and he suggested that no plan at all would be preferable to one which had little chance of being put into practice. A working group consisting of Canada, the United States, the U.S.S.R. and Guatemala was appointed to give further consideration to the matter.

The delegation in the sub-committee and in the working group gave particular attention to a number of considerations which it regarded as being of primary importance to the Canadian Government:

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<sup>1</sup>The text of the statement by the Canadian representative in Sub-committee I is given in Appendix I, J, pp. 189 to 194.

- (a) The juridical basis for the proposals should be made as adequate as possible. This seemed of practical importance to the Canadian delegation, since doubt in regard to the legal competence of the United Nations to put into effect a settlement for Palestine might at some later stage arise.
- (b) Although it had at one time considered that a trusteeship agreement might be established for Palestine, the delegation finally came to the conclusion that the United Nations should not attempt to take over the mandate in Palestine or to provide for the administration of that territory without the support of some kind of international military force. Various proposals of this nature were under consideration. One delegation, for example, suggested that the United Kingdom troops in Palestine should be replaced by an international army controlled by a United Nations Commission. This force would be made up of contingents provided by Member States other than permanent members of the Security Council and paid for by the permanent members. It seemed essential to the Canadian delegation that any proposal of this nature should be avoided. For this reason the delegation urged that in the first instance responsibility for the maintenance of order in Palestine should devolve as quickly as possible upon the people of Palestine themselves. If a situation were to develop in Palestine which proved too difficult for the people themselves to control, the problem should then be dealt with in the Security Council by the methods provided for the settlement of threats to the peace, that is, under Chapter VII of the Charter. It appeared to the delegation that in the event of serious trouble in Palestine, the situation could not be dealt with unless the permanent members of the Security Council agreed to use the machinery of the Security Council in this way.
- (c) The delegation sought also to have the views of the United Kingdom delegation taken into consideration whenever possible and in situations in which the United Kingdom was not able to speak for itself. This was particularly the case in the formulation of plans concerning the termination of the mandate, the withdrawal of troops and the transfer of authority. This proved difficult, partly because of uncertainty as to the intentions of the United Kingdom Government and partly because of the attitude of some other delegations, which seemed to assume that the United Kingdom could be informed of the plan after it had been completed and could be expected to co-operate thereafter in putting it into effect. The Canadian delegation kept in as close touch as possible with the United Kingdom delegation, informed the United Kingdom representatives of progress being made in the discussions and endeavoured to have the views of the United Kingdom taken into account in the work of the working group where Canada was represented and the United Kingdom was not.

The final stages of the discussions took place when the detailed plan for partition was considered in full committee and in plenary



session. The Canadian representatives speaking in committee<sup>1</sup> and plenary session<sup>2</sup> gave the general reasons which led the Canadian delegation to support the resolution. There were, however, certain other considerations of a more particular kind to which no direct public reference was made. These were:

- (a) No practicable alternative was seriously discussed. The Arab plan for a unitary state with a permanent Jewish minority (even with guaranteed rights) was completely unacceptable to the Jewish Agency, and the Arab States at no time indicated that they would consider any alternative which offered control of immigration and land regulations to the Jews within a Jewish area.
- (b) The plan was also the only one put forward which seemed to offer any possibility of securing a settlement in Palestine on the basis of an international agreement and of preventing direct unilateral intervention in that area. Disorder in Palestine because of the failure to adopt any plan would have left an inadequate basis for international intervention to control this situation. Disorder consequent on the adoption of a United Nations plan would imply United Nations action and would therefore make it difficult for any state to intervene unilaterally.
- (c) Even though the adoption of the plan for partition was accompanied by a threat of war by the Arabs in Palestine and their supporters in the Arab States, refusal to adopt the plan would not have avoided the danger of disorder. The adoption of other proposals, or failure to adopt any proposal at all, carried the possibility of civil war which would present to the world a problem fully as difficult as that arising from resistance to partition.

The policy followed by the delegation was admittedly pragmatic. It was designed on the one hand to assist the Assembly in reaching some constructive conclusion to the problem which it must be remembered, had been brought before it by the United Kingdom and to avoid the discredit that would have come upon the United Nations if no proposal had emerged from the discussion. It was equally intended that the plan evolved should not be one that made unrealistic demands upon the United Kingdom or which left Canada or other smaller states involved in the operation of a plan to which the permanent members of the Security Council did not give united support. Whenever the delegation took part in the discussion of the Palestine question, it was with these objectives in view.

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<sup>1</sup>The text of the statement of the Canadian representative in the *ad hoc* Committee is given in Appendix I, K, pp. 194 to 198.

<sup>2</sup>The text of the Canadian statement in plenary session on the partition plan for Palestine is given in Appendix I, L, pp. 198 to 200.



## 5. MEASURES TO BE TAKEN AGAINST PROPAGANDA AND THE INCITERS OF A NEW WAR

In his opening speech before the Second Session, delivered on September 26, 1947, the Chairman of the Soviet delegation made a number of allegations to the effect that efforts were being made in the United States and the United Kingdom to incite a new war. These attacks included charges levelled against individuals in the United States and the United Kingdom whose articles and speeches had advocated a strong and determined resistance to Soviet foreign policy.

The statements of the Soviet representative, together with supporting statements by other eastern European delegations, advanced the theory that a deliberate and calculated attempt was being made in the press of the western democracies to provoke an attack on the U.S.S.R. These charges were levelled in particular against individuals in the United States and the United Kingdom many of whom were mentioned by name, including a member of the United States delegation to the General Assembly.

This phase of what was recognized as an anti-United States-United Kingdom propaganda campaign was only a preparation for further Soviet manœuvres which occurred in the First Committee after the introduction of a Soviet resolution on the subject of war propaganda. The text of this resolution was as follows:

“The United Nations

1. Condemn the criminal propaganda for a new war, carried on by reactionary circles in a number of countries and, in particular, in the United States of America, Turkey and Greece, by the dissemination of all types of fabrications through the press, radio, cinema, and public speeches, containing open appeals for aggression against the peace-loving democratic countries.

2. Regard the toleration of, and—even more so—support for this type of propaganda for a new war, which will inevitably become the third world war, as a violation of the obligation assumed by the Members of the United Nations whose Charter calls upon them ‘to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take

other appropriate measures to strengthen universal peace' and not to 'endanger international peace and security, and justice' (Article 1, paragraph 2; Article 2, paragraph 3).

3. Deem it essential that the governments of all countries be called upon to prohibit on pain of criminal penalties the carrying on of war propaganda in any form and to take measures with a view to the prevention and suppression of war propaganda as anti-social activity endangering the vital interests and well-being of the peace-loving nations.

4. Affirm the necessity for the speediest implementation of the decision taken by the General Assembly on December 14, 1946, on the reduction of armaments, and the decision of the General Assembly of January 24, 1946, concerning the exclusion from national armaments of the atomic weapon and all other main types of armaments designed for mass destruction, and consider that the implementation of these decisions is in the interests of all peace-loving nations and would be a most powerful blow at propaganda and the inciters of a new war."

For a variety of reasons, the Soviet resolution was unacceptable to most delegations. By some it was considered inappropriate to single out certain states for condemnation on so indefinable a charge as war-mongering. Others, including Canada, pointed out that any effort to limit free discussion of international political issues would infringe liberties which were regarded as basic in western civilization. It was considered also that the fourth paragraph of the Soviet resolution, containing a reference to disarmament and the control of atomic energy, was both misleading and irrelevant.

## The Canadian Attitude

The Canadian delegation, although it was opposed to the Soviet resolution, was unwilling to have it simply voted down, without any effort having been made to meet the problem which the Soviet delegation had raised in regard to the harmful effects of provocative and irresponsible discussion of international affairs, no matter where it originated. The Canadian representative outlined the Canadian position in the First Committee on October 23, 1947. In his speech he took up each paragraph of the Soviet resolution in turn, expressing his disagreement both with the allegations made and the solutions proposed. He then suggested that a positive rather than negative approach to the problem should be taken. The obligations set forth



in the Charter to practise tolerance, to observe the fundamental freedoms, and to promote friendly relations among states should be reasserted in this connection. The Canadian representative concluded his statement with the following words:

“It will be clear, I hope, from what I have said, that we will not be able to support the Soviet resolution. I imagine other delegations will be in the same position. I venture to express the hope, however, that *all* delegations will wish to condemn war-mongering in all its forms, including civil war-mongering. I feel certain, also, that *all* delegations would wish to support a declaration in a positive sense in favour of propaganda for peace; peace-mongering, if you like.

“In the hope that we may all unite on these aims, the Canadian delegation is submitting a short, straightforward, non-controversial resolution as follows:

“ ‘The United Nations condemn all propaganda inciting to aggressive war or civil strife which might lead to war, and urge Members to promote, by all means of publicity and propaganda available to them, friendly relations among nations on the basis of the purposes and principles of the Charter.’ ”<sup>1</sup>

The French and Australian delegations submitted alternative resolutions. When the Committee adjourned on October 25, therefore, it had four resolutions before it. On the following day, an informal joint meeting of Australian, Canadian and French representatives took place in which a joint resolution was prepared for presentation to the Committee on October 27.<sup>2</sup> This joint resolution corresponded closely to the original Canadian proposal, except that the reference to “civil strife” was omitted.

At the meeting of the Committee on October 27, the representative of Poland introduced an amendment to paragraph 1 of the Soviet proposal. The amended paragraph contained no reference to the actions of particular states and was accepted by the U.S.S.R. However, the U.S.S.R. proposal, as amended by the representative of Poland, was rejected by a majority vote of the Committee.

The Committee then proceeded to consider the draft joint resolution submitted by Australia, Canada and France. With the addition of minor amendments, the resolution was adopted unani-

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<sup>1</sup>The full text of the statement of the Canadian representative is given in Appendix I, M, pp. 200 to 206.

<sup>2</sup>The full text of this resolution is printed in Appendix I, N, p. 206.



mously by the Committee.<sup>1</sup> In the plenary session of the General Assembly on November 3 the resolution was again adopted with unanimity and virtually without debate. This was the only occasion during the Second Session of the General Assembly on which unanimity was achieved on a controversial issue.

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<sup>1</sup>The final text of the resolution on War Propaganda is given in Appendix I, O, p. 207.

## 6. ESTABLISHMENT OF AN INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

In his opening address before the Second Session of the General Assembly, the United States Secretary of State indicated that the United States delegation would introduce a resolution proposing the creation of a Standing Committee of the General Assembly, consisting of all the Members of the United Nations, for the purpose of dealing with situations and disputes under Articles 11 and 14 of the Charter.<sup>1</sup> With similar ideas in mind, the Chairman of the Canadian delegation, in his opening address on September 18, stated that the Canadian delegation saw no reason why the functions of the Assembly should not be put to greater use for the solution of problems of peace and security which were not being dealt with elsewhere. He said:

“Our delegation also supports the United States proposal designed to extend the usefulness of the Assembly. We think that its acceptance would infuse new life and vigour into the whole organization.”

The principle of the United States proposal was not new since somewhat similar suggestions had been made as early as 1945, in particular by the Netherlands delegation, during the meetings of the Preparatory Commission in London. In these early and formative stages of the United Nations, however, no action was taken to create any interim body.

Two years experience clearly had demonstrated that the organ of the United Nations which is primarily concerned with preserving the peace of the world, the Security Council, frequently had been unable to act even in matters of seemingly minor importance, because of the use of the veto power. It had also become evident that the agenda of each succeeding session of the General Assembly had increased to the extent that the period allotted to ordinary sessions was not sufficient to permit adequate study of every item. In consequence, many delegations came to the 1947 session

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<sup>1</sup>The texts of Articles 11, 12, and 14 of the United Nations Charter are given in Appendix I, P, pp. 207 and 208.

of the Assembly, prepared to discuss the possible establishment of a body for the purposes suggested by Mr. Marshall in his opening address.

Opening the debate on this item in the First Committee, the United States representative introduced the original United States proposal<sup>1</sup> which outlined the suggested functions for the Interim Committee. These functions were:

- (a) to consider as it may determine, such situations as may come to its attention within the purview of Article 14, or such questions as are brought before the General Assembly by the Security Council pursuant to Article 11 (2), and to report thereon, with its recommendations to the General Assembly;
- (b) to consider and to make recommendations to the General Assembly upon general principles of co-operation in the maintenance of international peace and security under Article 11 (1) and to initiate studies and make recommendations for the purpose of promoting international co-operation in the political field under Article 13 (1) (a);
- (c) to consider whether occasion may require the calling of a special session of the General Assembly and, if it deems that such session is required, to so advise the Secretary-General;
- (d) to conduct investigations and appoint commissions of enquiry within the scope of its duties and functions as it may deem useful and necessary;
- (e) to study, report and recommend to the third regular session of the General Assembly on the advisability of establishing a committee of the General Assembly on a permanent basis, to perform the duties and functions of the Interim Committee with any changes considered desirable in the light of its experience;
- (f) to perform such other functions and duties as the General Assembly may assign to it.

The United States representative emphasized that the creation of such a Committee for 1948 would be in the nature of an experiment and that any decision to establish it permanently would have to be taken after the experience of the Interim Committee's operations in this period.

The main discussion in Committee centered around the powers to be allocated to this Committee and the matters which it would be permitted to discuss. Various delegations warned against giving the proposed Committee powers that properly belonged either to the Security Council or to the General Assembly. The United States delegation, however, made it clear that, according to its proposal, the

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<sup>1</sup>The text of the United States proposal is given in Appendix I, Q, pp. 208 to 210.



Committee would be a subsidiary organ of the General Assembly and would in no way infringe upon the powers of the Security Council. The U.S.S.R. delegation objected to the proposal on the grounds that it was a violation of the Charter and a deliberate attempt to circumvent the Security Council. Other eastern European States made similar objections, Yugoslavia claiming that this proposal was a disguised attack on the rule of unanimity amongst the permanent members of the Security Council.

Amendments to the United States proposal were put forward by various delegations, including a Canadian amendment<sup>1</sup> which would have added to the functions of the proposed Committee the tasks of considering the extent to which resolutions of the General Assembly had been put into effect and of initiating preliminary consideration of provisional items on the Assembly's agenda. It was decided to establish a sub-committee to consider the various proposals which had been advanced, to discuss the practical application of the United States proposal, and to prepare a resolution for consideration by the Committee. This sub-committee, under the chairmanship of the Canadian representative, consisted of the representatives of Argentina, Australia, Bolivia, Canada, China, Czechoslovakia, France, India, Lebanon, Mexico, the Netherlands, Norway, U.S.S.R., the United Kingdom, and the United States. The representatives of the U.S.S.R. and Czechoslovakia, however, refused to attend.

In the discussions of the sub-committee careful consideration was given to the terms of reference which should be adopted for the proposed Interim Committee. It was eventually decided that the Interim Committee should consider only those items within its competence which had been placed on the provisional agenda of the General Assembly and which the Committee regarded as both important and requiring preliminary study, this decision to be made by a two-thirds majority. It was further decided that the Interim Committee would include within its competence the consideration of disputes as well as of situations under Articles 11 (2), 14 and 35 of

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<sup>1</sup>The text of the Canadian amendment to the United States proposal for an Interim Committee of the Assembly is given in Appendix I, R, p. 210.

the Charter and that the Committee might make a study of the methods to be adopted to give effect to Articles 11 (1) and 13 (1) (a) of the Charter, rather than to study the principles of these Articles.

The sub-committee came to the conclusion that the Interim Committee might recommend the calling of a special session of the General Assembly to deal with matters under discussion by the Committee itself and that the Committee could by a majority of two-thirds arrange for investigations to be made on the condition that any investigation outside of the headquarters of the United Nations should not be conducted without the consent of the State or States in whose territory it was to take place.

Finally it was decided that "the Interim Committee shall not consider any matter of which the Security Council is seized". This, in effect, meant that if an item is removed from the Council's agenda, then the Interim Committee may take up consideration of the item, providing the matter comes within its terms of reference.

The proposal of the sub-committee was finally adopted in the First Committee by 43 votes to 6, with 6 abstentions. The Soviet Union and the other eastern European States voted against the proposal and the Arab States abstained.<sup>1</sup> The Soviet representative then announced that, since the establishment of the Interim Committee was a violation of the Charter, the U.S.S.R. would take no part in its work. Similar statements were made by the representatives of other States which had opposed the resolution.

When final discussion of the establishment of an Interim Committee of the General Assembly took place in plenary session, the U.S.S.R., Poland, Yugoslavia, Byelorussia, the Ukraine, and Czechoslovakia again announced their refusal to take part in the work of the Committee, and reiterated their view that the establishment of an Interim Committee was a breach of the Charter. The resolution was voted upon as a whole and was approved 41 to 6, with 6 abstentions, as in the Committee. Canada voted for the resolution.

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<sup>1</sup>The text of the resolution on the Interim Committee approved by the First Committee and adopted by the General Assembly is given in Appendix I, S, pp. 210 to 212.

## The Canadian Attitude

The Canadian representative made known the Canadian attitude to the proposed establishment of an Interim Committee on October 18. He said that the failure of the United Nations to achieve success was largely due to the failure of the Security Council to agree within itself. One way of escape from this dilemma lay in expanding and in strengthening the functions of the General Assembly and it was in this light that he saw the value of the Interim Committee. Further reasons for the establishment of this Committee were the Assembly's crowded agenda and the need for careful study of some of the more complicated items on this agenda. In the Canadian view there was no doubt that the Interim Committee was constitutional. The Committee should not be given wide powers at its inception but should be allowed to take up all matters relating to peace and security which were within the competence of the General Assembly. He concluded by saying:

"Mr. Chairman, we are building in the United Nations a structure for international co-operation which must endure. Our hopes depend upon its success. Its weakness lessens the security of each one of us. If the experiment which we are contemplating will have the effect of making the organization more effective, and that is our only purpose in supporting it, it will repay a thousand-fold the effort which we shall expend upon it. The Canadian delegation will gladly co-operate in making the experiment in the hope that the instrument we are creating may help speedily to remove the circumstances which make it necessary."<sup>1</sup>

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<sup>1</sup>The full text of the statement by the Canadian representative is given in Appendix I, T, pp. 212 to 215.



## 7. CONSIDERATION OF THE VETO

In 1946 at the second part of the First Session of the General Assembly, a number of proposals were made with regard to the right of veto possessed by the permanent members of the Security Council. It was, however, the view of the majority that it was premature to call in question the rule of unanimity among the permanent members of the Security Council as set forth in the Charter. The discussions revealed, however, that almost all the Members of the United Nations believed that the Security Council should reform its practices and procedures. In the end a resolution was adopted which requested the permanent members of the Security Council to ensure that the use of their special voting privilege should not impede the effective operation of the Security Council and which recommended to the Security Council the adoption of procedures to ensure the prompt and effective exercise by the Security Council of its functions. During the debate in the First Committee, preceding the adoption of this resolution, the Canadian delegation submitted an eight-point programme containing certain procedural suggestions which it was considered might be adopted by the Security Council.<sup>1</sup>

At the Second Session of the General Assembly, as a result of the continued use of the veto in the Security Council during the preceding months, the Argentine delegation proposed that a general conference of the United Nations be called under Article 109 of the Charter, which deals with the procedure for amendment, to consider the abolition of the veto. A second approach to the problem of the voting procedure of the Security Council was made by the United States delegation. In his opening speech before the General Assembly on September 17, 1947, the United States delegate announced that the United States would waive its right of veto on all subjects in the Security Council, except on those which came under Chapter VII of the Charter concerning action to be taken with respect to threats

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<sup>1</sup>For a full discussion of the proceedings concerning the practices and procedures of the Security Council at the First Session see "United Nations 1946", Conference Series No. 3, Department of External Affairs, pp. 41 to 46.

to the peace, breaches of the peace, and acts of aggression. When the subject was discussed in the First Committee the United States delegation proposed that the whole problem of voting procedure in the Security Council should be referred for detailed study to the Interim Committee.

The debate in the First Committee was directed for the most part to the Argentinian and United States proposals. The United States resolution included provisions for consultation by the Interim Committee with any committee designated by the Security Council to co-operate in a study of the veto, and for a report by the Interim Committee on its study to the Secretary-General by July 15, 1948. The United States proposal also requested the permanent members of the Security Council to consult together in order to secure agreement on the problem.<sup>1</sup> In introducing this proposal the United States representative made it clear that this was not an attempt to alter the Charter but merely an attempt to clarify the issues involved in the voting procedure in the Security Council and to facilitate an objective study of this question at the next session of the General Assembly.

Most delegations were of the view that the Argentine proposal for a general conference to abolish the veto was neither opportune nor practical, since it would not be possible to amend the Charter without the concurring votes of all the permanent members of the Security Council, including that of the U.S.S.R. In consequence, the United States' approach to the problem received general support. The U.S.S.R. and the other eastern European States defended the use of the veto in the Security Council at length. In the course of the debate, the Soviet representative argued that the Soviet Union, in its use of the veto in the Security Council, had defended the rights of smaller states. He categorically refused to take part in any committee discussing this question and would not agree to any proposal either for a conference to amend the Charter or for any limitation of the veto, or even any study of the question.

The United States resolution was adopted in the Committee by a large majority, Canada voting for the proposal. The Arab States, Egypt and Chile abstained from the voting on this resolution, the

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<sup>1</sup>The full text of the United States proposal is given in Appendix I, U. p. 216.

latter claiming that there was little point in having the Interim Committee study the question if the U.S.S.R. would not participate in the discussion.

In the plenary session the United States proposal was adopted 38 to 6, with 11 abstentions. Canada voted for the proposal.

### **The Canadian Attitude**

The Canadian representative, in discussing the problem of the veto in the First Committee, said that the time was ripe for a fuller study of the various problems connected with the voting procedure in the Security Council. The Canadian delegation, he said, had various proposals to make but he was of the opinion that the question could not be dealt with effectively without fuller discussion and consultation with the permanent members of the Security Council than was possible during the remainder of the Second Session. He stated, however, that the removal of this item from the agenda altogether would be both undesirable and unfortunate and supported the United States' proposal that the question should be referred to the Interim Committee.



## 8. RELATIONS OF MEMBERS OF THE UNITED NATIONS WITH SPAIN

At the second part of its First Session, the General Assembly, after lengthy discussion concerning the relations of Members of the United Nations with Spain, adopted a resolution which embodied three principal recommendations:<sup>1</sup>

- (1) The Franco Government should be "debarred from membership in international agencies established by or brought into relationship with the United Nations, and from participation in conferences or other activities which may be arranged by the United Nations or by these agencies . . .
- (2) If within a reasonable time, there is not established (in Spain) a government which derives its authority from the consent of the governed, committed to respect freedom of speech, religion and assembly and to the prompt holding of an election in which the Spanish people, free from force and intimidation, and regardless of party, may express their will, the Security Council [should] consider the adequate measures to be taken in order to remedy the situation . . .
- (3) All Members of the United Nations [should] immediately recall from Madrid their Ambassadors and Ministers Plenipotentiary accredited there."

In compliance with this resolution, the Secretary-General, on December 20, 1946, sent a circular telegram to Member Governments requesting that he be informed as soon as possible of action taken in accordance with the Assembly resolution relating to the recall from Madrid of Ambassadors and Ministers Plenipotentiary accredited there. Replies were received from the United Kingdom, the Netherlands and El Salvador stating that they had recalled their Ambassadors or Ministers. Nineteen States stated that they had no Ambassadors nor Ministers Plenipotentiary accredited to Spain at the time of the General Assembly resolution. Thirty States, including Canada, informed the Secretary-General that they had had no diplomatic relations with the Franco Government at the

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<sup>1</sup>For a full summary of discussions at the Second Part of the First Session of the General Assembly concerning relations with Spain, see *The United Nations 1946*, published by the Department of External Affairs, Conference Series No. 3, 1946, pp. 51 to 58.

time of the General Assembly resolution. One State, Liberia, stated that it had adhered to the General Assembly resolution and had so advised its representative at Madrid. The Dominican Republic replied that proper consideration would be given to the resolution of the General Assembly and that the Secretary-General would be informed in due course of action to be taken and the Argentine simply acknowledged receipt of the communication and did not recall its diplomatic Head of Mission from Madrid.

Since the Franco regime continued in power in Spain and since the General Assembly's request for the recall of Ambassadors and Ministers Plenipotentiary had not been fully implemented, the question of the relation of Members of the United Nations with Spain was brought to the attention of the General Assembly in the Secretary-General's annual report and placed on its agenda.

In the First Committee which considered this item, the U.S.S.R. and the other eastern European States repeated the declaration made in 1946 that the Franco regime was fascist in character and a threat to the peace. These delegations claimed in consequence that action was necessary by the Security Council. To this end, Poland introduced a resolution reaffirming the 1946 resolution and calling upon the Security Council to consider the Spanish question within a month. It also called for the Security Council to take adequate measures under Article 41 of the Charter to remedy the present situation. The Yugoslav delegation added an amendment to this proposal calling for economic sanctions against Spain. Many delegations, however, and particularly Pakistan, denied that the Franco regime constituted a threat to the peace and concluded that the imposition of sanctions would therefore be illegal.

A more moderate resolution was introduced jointly by the delegations of Belgium, Luxembourg and the Netherlands which regretted that the recommendation of the First Session of the Assembly, inviting all United Nations Members to recall their Ambassadors, had not been fulfilled and which expressed the confidence that the Security Council would exercise its responsibility on this question. A further proposal was introduced by various Latin American States which reaffirmed the resolution of the previous Assembly and expressed confidence that the Security Council would



exercise its responsibility accordingly. A sub-committee was eventually established which presented the following resolution to the First Committee:

Whereas the Secretary-General in his annual report has informed the General Assembly of the steps taken by the States Members of the organization in pursuance of its recommendations of December 12, 1946;

*The General Assembly*

Reaffirms its resolution adopted on December 12, 1946, concerning relations of Members of the United Nations with Spain and

Expresses its confidence that the Security Council will exercise its responsibilities under the Charter as soon as it considers that the situation in regard to Spain so requires.

This resolution was adopted in Committee by 29 votes to 6 with 20 abstentions. Canada, joined by the United States, Australia, Pakistan, South America, France and the Netherlands, voted for paragraphs 1 and 3 and against paragraph 2, and abstained on the whole resolution, since paragraph 2 was adopted. However, in the plenary session, although paragraphs 1 and 3 were adopted by heavy majorities, paragraph 2, reaffirming the 1946 resolution, failed to obtain the necessary two-thirds majority. The resolution, thus modified, was adopted by the General Assembly 36 to 5 with 12 abstentions. Canada voted for the amended resolution.

## The Canadian Attitude

The Canadian position was stated in Committee on November 11 when the Canadian representative said that the imposition of sanctions against Spain would be unconstitutional unless it was first determined by the Security Council that Spain presented a threat to the peace under Article 39 of the Charter.<sup>1</sup>

No case had been made to substantiate this allegation and, therefore, the question of Spain could not be considered under Chapter VII of the Charter. The adoption of the Polish proposal, he said, would result only in the United Nations making a futile gesture. He expressed the view further that intervention such as was proposed by Poland would strengthen rather than weaken the

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<sup>1</sup>The full text of the statement by the Canadian representative is given in Appendix I, V, pp. 216 and 217.



government of Franco in Spain. Finally, although Canada wished to reaffirm its dislike of the present regime in Spain, the delegation considered that it was unwise to restate the provisions of last year's resolution, especially with regard to those provisions which excluded Spain from membership in the specialized agencies. This section of the resolution was deleted in plenary meeting and the Canadian delegation supported the proposal as finally adopted.

## 9. ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

During 1947 the Security Council was charged with the re-examination of applications for admission to the United Nations submitted by Albania, Eire, the Mongolian Peoples' Republic, Transjordan and Portugal, all of which were referred to the Security Council by the General Assembly in a resolution of November 19, 1946. In addition to these applications, which had been previously submitted, the Security Council had before it during 1947 new applications from the following states: <sup>1</sup>

Hungary, Italy, Austria, Roumania, Yemen, Bulgaria and the Dominion of Pakistan.

The five previously rejected applications, together with those from Yemen and Pakistan, were considered by the Security Council on August 18, 1947. The other five applications were considered on August 21. The results of the voting in the Security Council were as follows:

- (1) Yemen and Pakistan were unanimously recommended for membership in the United Nations by the Council.
- (2) The voting for Albania was 3 in favour (Poland, Syria, and the U.S.S.R.); 4 against (Australia, Belgium, the United Kingdom and the United States); and 4 abstentions (China, Colombia, Brazil and France). The application was accordingly rejected as not having received the required 7 affirmative votes.
- (3) Mongolian Peoples' Republic: 3 votes in favour (Poland, Syria and the U.S.S.R.); 3 against (China, the United Kingdom and the United States); and 5 abstentions. The application was therefore rejected.
- (4) Transjordan: 9 votes in favour; 1 against (the Soviet Union) and 1 abstention (Poland). The application was accordingly rejected because of the negative vote of a permanent member of the Security Council (the U.S.S.R.).
- (5) The vote for Eire was the same as for Transjordan. Application rejected.
- (6) The vote for Portugal was the same as for Transjordan, except that Poland voted against instead of abstaining. Application rejected.

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<sup>1</sup> The background of discussion on the admission of new members to the United Nations is given in *The United Nations 1946*, Conference Series No. 3, 1946, Department of External Affairs, pp. 46 to 50.

- (7) Austria: 8 votes in favour; 1 against (the Soviet Union); 2 abstentions (France and Poland). Application rejected due to the veto of the Soviet Union.
- (8) Hungary: 1 in favour (Syria); 1 against (the United States); 9 abstentions. Application rejected.
- (9) Italy: 9 in favour; 1 against (the Soviet Union); 1 abstention (Poland). Application rejected by the Soviet veto.
- (10) Bulgaria: 1 in favour (Syria); 1 against (the United States); 9 abstentions. Application rejected.
- (11) Roumania: 1 in favour (Syria); 10 abstentions. Application rejected.

The Security Council thus rejected ten of these twelve applications, approving only Yemen and Pakistan.

At a meeting of the Security Council on September 25, consideration was given to letters from representatives of the United States and Poland. The United States letter requested the reconsideration of the application of Italy for membership. The Polish letter requested that the applications of Hungary, Roumania and Finland (whose request for admission had been received on September 19, 1947) be placed on the agenda, in view of the fact that the peace treaties with these countries had now been ratified. Mr. Herschel Johnson, supported by the United Kingdom, Belgium, France, Brazil and Australia, suggested that since the peace treaty with Italy had entered into force and since Italy was fully sovereign and a peaceful member of the family of nations, there was no valid reason for a further postponement of Italy's admission to the United Nations. Mr. Gromyko, in reply, stated that the U.S.S.R. was ready to agree to the admission of Italy to the United Nations, but only on condition that all the other countries in the same position, i.e. Bulgaria, Hungary, Roumania and Finland, were also admitted. He claimed that all these applications should be considered together and that by considering the case of Italy separately the United Kingdom and the United States were deviating from the Potsdam Agreement. This proposal was rejected by the majority of the Security Council, and no decision was taken in regard to the admission of any applicants except Yemen and Pakistan.

On September 30 the General Assembly adopted the report of the First Committee on the admission of Yemen and Pakistan. Yemen was admitted with unanimous approval, the admission of



Pakistan being approved by a vote of 53 to 1. Afghanistan voted in the negative as the result of a territorial grievance held against Pakistan. Canada voted for the admission of each Member.

Several resolutions concerning the admission of new members were placed on the agenda of the General Assembly and considered in the First Committee. The main issues in the debate in Committee centred around the use of the veto by the U.S.S.R. to prevent the admission of new members and on the practice adopted by the Soviet representative in the Security Council of attaching conditions to the Soviet vote on new members. Individual applications were also discussed on their merits. The United States and the United Kingdom argued that it was unwarranted to reject the application of any one State, such as Eire, because this State had not entered into diplomatic relations with the Soviet Union. Objection was also voiced to the condition attached to the Soviet vote for the application of Italy, namely the simultaneous admission of Bulgaria, Hungary, Roumania and Finland. On this latter point the Belgian delegation introduced a resolution which proposed that the following questions be referred to the International Court of Justice for an advisory opinion:

- (a) Whether a Member should make its vote upon the application of a new member subject to extraneous conditions, e.g. lack of diplomatic relations with the Soviet Union, rather than upon the conditions outlined in paragraph 1 of Article IV of the Charter, and
- (b) Whether a state might attach a further condition to its favourable vote, that the admission of an applicant should depend upon the admission of other applicant states.

Swedish and Argentine resolutions were also introduced. Argentina, together with Brazil and Chile, wished the General Assembly to admit Eire, Transjordan, Portugal, Italy and Finland because the applications of these States had received seven votes in the Security Council and also because they were peace-loving states. The proposal was clearly unconstitutional since under Article IV of the Charter the Security Council has to recommend applications for membership to the General Assembly before the latter may admit new members, and in these cases no such recommendation had been

made. Sweden, on the other hand, proposed adoption of the principle of universality, claiming that all states should be admitted to the United Nations.

In an attempt to resolve the obstruction to the admission of new members arising from the use of the veto in the Security Council, the Canadian representative proposed that the five permanent members of the Security Council should waive their right of the veto in the case of applications for membership. Four permanent members, the United Kingdom, the United States, France and China, accepted this suggestion and indicated their willingness to forego their right of veto on all applications in the future. The Soviet representative misinterpreted this suggestion as an invitation for Big Five consultations on the subject, to which he agreed. However, he later refused to give up the right to exercise a veto on applications for membership.

After extensive discussion the Committee finally rejected the Swedish resolution, the earlier Argentine resolutions having been withdrawn. Instead, the Committee adopted eight resolutions, one each sponsored by Belgium, Poland and the United States, and five resolutions sponsored jointly by Australia, the Argentine, Brazil and Chile.

These were:

- (a) An amended Polish resolution recommending the permanent members of the Security Council to consult together with a view to reaching agreement on the subject of membership and submit their conclusions to the Security Council.
- (b) The Belgian resolution referring to the International Court of Justice requesting the advisory opinion as to whether members of the Security Council might attach conditions, other than those contained in Article IV (1) of the Charter to their affirmative vote for any application for membership.
- (c) Three joint Argentine, Australian, Brazilian and Chilean resolutions stating that Eire, Portugal and Finland are peace-loving states and able and willing to carry out the obligations of the Charter and should, therefore, be admitted to membership in the United Nations. These resolutions further request the Security Council to reconsider the applications of these three countries in the light of this determination of the Assembly.
- (d) Two joint resolutions which present the same case with regard to the applications of Transjordan and Italy and which contain the added request that the Security Council reconsider their applications "before the end of the present session of the General Assembly".



- (e) A United States resolution which states that Austria is peace-loving within the meaning of Article IV of the Charter and which consequently requests the Security Council to reconsider the application of Austria in the light of this expression of opinion of the Assembly.

India voted against these resolutions since it considered that their acceptance by the General Assembly would prejudice the reconsideration of these questions in the Security Council. India, however, stated that these negative votes were not to be considered as votes against the applicants themselves. It should be added that the Argentine resolution requesting deferment of the consideration of the applications of Albania, Bulgaria, Hungary, Roumania and Mongolia was withdrawn, and as a result no action was taken to request Security Council reconsideration of these applications.

The eight resolutions were presented to the plenary session and were adopted by large majorities. Canada voted for all the resolutions. When the resolutions had been adopted by the General Assembly, Australia withdrew its resolution on the protection of the rights of the General Assembly in relation to the admission of new members, on the grounds that the Assembly had exercised its powers and protected its rights in approving the eight resolutions which had been submitted by the First Committee.

### The Canadian Attitude

The Canadian representative said in Committee that the Canadian attitude in regard to the admission of new members was based on Article IV of the Charter and that all applications for membership in the United Nations should be judged upon their merits, in the light of the conditions to be fulfilled under Article IV. He suggested that there was little point in the General Assembly requesting the Security Council to reconsider its views when disagreement in the Security Council was almost a foregone conclusion. The Canadian position was that consideration of single applications in the General Assembly, as was proposed by Australia and some other delegations, could only be justified if the permanent members of the Security Council would agree to waive their right of the veto on such applications. He concluded by saying:<sup>1</sup>

<sup>1</sup> The full text of the statement of the Canadian representative is given in Appendix I, W, pp. 217 to 219.



"If the permanent members of the Security Council were to give such an assurance, the Canadian delegation would be happy to state its position with regard to each applicant mentioned in the resolutions before it and to participate in a vote in order to record a decision of the Assembly recommending the Security Council to consider the particular cases in question. In the absence of such an assurance, the Canadian delegation considers that it would be futile to go through the process once again expressing opinions on the eligibility of various applicants and unless the discussion brings out more points which we have missed in our consideration of the matter, we would be disposed to abstain from voting."

When it became clear that, in spite of the refusal of the Soviet Union to waive its veto right on this subject, the Committee would vote on some resolutions requesting the Security Council to reconsider six of the applications, the Canadian representative made a further statement on November 10, in order to explain the Canadian vote on the resolutions before the Committee. In doing this he said:

"In the absence of an assurance from all five of the permanent members that they will not exercise their right of veto we still retain our doubts as to the usefulness of requesting the Security Council to reconsider individual applications. But we feel that an abstention on our part might be interpreted as meaning that our delegation is not in favour of the admission of the members concerned. Our delegation is most definitely in favour of a favourable consideration of the applications covered by the Australian resolutions, viz., Eire, Finland, Italy, Portugal and Transjordan. In particular, we would draw attention to what we regard as the completely unjustifiable grounds which have been advanced for the rejection of the application of Eire. On the other applications that have been rejected by the Council, we shall have an opportunity to make our position clear on these applications in the Security Council. We shall also be glad to support the resolution of the representative of Belgium."<sup>1</sup>

*The Assembly also considered rules of procedure for the admission of new members.*—Article 4 of the United Nations Charter contains the provisions governing the admission of new members. It reads as follows:

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the organization, are able and willing to carry out these obligations.
2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

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<sup>1</sup>The full text of the statement by the Canadian representative is given in Appendix I, X, pp. 219 and 220.

Under other articles of the Charter it is provided that the recommendation by the Security Council requires an affirmative vote of seven members, including the concurring votes of all five permanent members. A decision by the Assembly in favour of the admission of a new member requires a two-thirds majority of the members present and voting.

On November 19, 1946, the General Assembly requested the Security Council to appoint a committee to confer with the Committee on Procedure of the General Assembly with a view to "preparing rules governing the admission of new members which will be acceptable both to the General Assembly and to the Security Council". Joint meetings of the Security Council and General Assembly Committees on Procedure for the Admission of New Members were held in June, 1947, in order to draft proposals relating to rules of procedure. The Committees agreed that the General Assembly was not entitled, under Article 4 (2) of the Charter, to admit a new member except upon an affirmative recommendation of the Security Council. It was also agreed by a majority of the Members of the Committee that:

- (a) The Committee could not suggest any procedural rules which would have the effect of defining or limiting powers of jurisdiction of the Security Council in relation to the admission of new members, and
- (b) The Security Council was entitled to consider each application before the Assembly did.

The Joint Committee adopted unanimously the amendments proposed to the rules of procedure, with the exception of the Soviet delegate who reserved his position. Under these new rules an application from a state desiring to become a member must contain a formal declaration that it accepts the obligations in the Charter. Membership will become effective on the date on which the Assembly approves the application.

The new rules of procedure as recommended by the Committee of the General Assembly on Procedure for Admission of New Members were adopted by the First Committee at the Second Session of the General Assembly virtually without objection, Canada voting for each new rule. The Soviet Union and the other Slav States also accepted the proposals. The rules of procedure for the admission of new members were adopted without discussion by the General Assembly.<sup>1</sup>

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<sup>1</sup> The full text of the new provisional rules of procedure on the Admission of New Members is given in Appendix I, Y, p. 220.



## 10. ELECTIONS TO THE SECURITY COUNCIL

In accordance with Article 23 (2) of the Charter, the General Assembly elected three non-permanent members of the Security Council to replace the non-permanent members, Australia, Brazil and Poland, which retired on December 31, 1947. Retiring members of the Security Council are not eligible for immediate re-election. Elections are by secret ballot and a two-thirds majority vote is required for election. Non-permanent members so elected hold office for two years.

The elections for the Security Council at this session of the General Assembly were of particular interest to Canada in view of the fact that the Canadian Government had made known its willingness to accept membership. The Secretary of State for External Affairs, in indicating the attitude of the Canadian Government in this regard, in an address before the Ottawa Branch of the United Nations Association in Canada on September 12, 1947, said:

"This decision in respect of the Security Council has been made only after the most careful consideration. We realize, in the first place, that if we are elected the people of Canada will be confronted with new and onerous responsibilities. We realize also that we shall have the weaknesses and difficulties from which the United Nations suffers brought home to us in an urgent and direct manner that will test to the utmost our confidence in that organization."

At the 92nd plenary meeting of the General Assembly held on September 30, voting commenced for election of the three new members. On the first ballot Canada and Argentina obtained 41 of a possible 57 votes and were duly elected. The two-thirds majority required was 38 votes. The results of the vote on the first ballot were as follows: Argentina, 41 votes; Canada, 41 votes; Ukrainian S.S.R., 33 votes; India, 29 votes; Czechoslovakia, 8 votes; Uruguay, 8 votes; Chile, 2 votes; with Ethiopia, Greece, Guatemala, and the Philippines each receiving 1 vote. As no other candidate received the necessary two-thirds majority vote on the first ballot, a further ballot was necessary.



Rule 84 of the Provisional Rules of procedure for the General Assembly, provides that votes on the second and subsequent ballots can be cast only for the countries which were the leading unsuccessful candidates on the preceding ballot. The number of candidates which remain on the second and subsequent ballots is restricted to twice the number of places remaining to be filled. Consequently further balloting on this occasion was restricted to the Ukrainian S.S.R. and India. On the second ballot the Ukrainian S.S.R. obtained 29 votes, and India obtained 24 votes. The two-thirds majority vote on this ballot was 36. Neither candidate obtained the required majority, and further balloting was therefore necessary.

In nine subsequent ballots, held during sessions on September 30, October 1 and October 20, the Assembly failed to elect a third member. The result of the voting on the subsequent ballots was as follows:

	September 30					October 1		October 20	
	3rd	4th	5th	6th	7th	8th	9th	10th	11th
Ukrainian S.S.R. ...	29	30	33	34	33	31	32	29	30
India .....	25	25	23	22	23	23	24	24	25
<i>Two-thirds majority</i>									
<i>required .....</i>	38	37	38	38	38	36	38	35	37

On November 13, 1947, the Indian delegate announced the withdrawal of India from the election and on the ballot which followed the Ukrainian SSR received 35 of the 52 valid votes cast, and was therefore declared elected. Two members voted for India and 15 abstained.

The Indian delegate, speaking after the voting on November 13, said that India's candidature for the Security Council had been based solely on its desire to have this important organ of the United Nations, on which special responsibilities are laid, fully representative of all the important regions of the world.

The Secretary of State for External Affairs for Canada, in commenting on the occasion of the election of Canada to the Security Council expressed the view that:

"Canada's election to the Security Council of the United Nations confronts the Government and people of Canada with new and grave responsibilities. During the years 1948 and 1949 the Government will be faced, as never before, with the necessity of making decisions on the major questions affecting the peace and security of the world."

The membership of the Security Council for 1948 will be:

Permanent Members—China, France, U.S.S.R., the United Kingdom, and the United States.

Non-permanent Members—Belgium, Colombia, and Syria (retiring at the end of 1948); Argentina, Canada and the Ukrainian S.S.R. (retiring at the end of 1949).

## **Economic and Social Questions**





## ECONOMIC AND SOCIAL QUESTIONS

At the Second Session of the General Assembly of the United Nations the report of the Economic and Social Council was referred for consideration to the Second Committee (Economic) and to the Third Committee (Social) of the Assembly. A number of resolutions were adopted in these two Committees, arising from this report and from other matters in the economic and social field referred to them by the General Assembly. A Joint Second and Third Committee was formed to consider questions in which both economic and social problems were involved. The substance of these resolutions and the discussions leading up to their adoption are outlined below under the appropriate headings.<sup>1</sup>

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<sup>1</sup>The text of two Canadian statements of a general nature concerning the work of the Economic and Social Council which were presented in the Second and Third Committees are given in Appendix II, A and B, pp. 221 to 228.

## 11. SURVEYS OF WORLD ECONOMIC CONDITIONS

In the Second Committee the Australian representative submitted a resolution concerning the desirability of surveys on world economic conditions. The Australian resolution requested the Assembly to direct the Economic and Social Council to consider world economic conditions and trends at each session and to propose that the Secretary-General should provide the Council with the necessary economic surveys and analyses.

In a resolution submitted by Poland which called upon Members to carry out recommendations of the Assembly and which dealt with economic and social matters, there was also a proposal that periodic economic surveys be prepared by the Council in co-operation with the Secretary-General, specialized agencies and non-governmental organizations. The Committee decided to consider this portion of the Polish resolution in conjunction with the Australian proposal and after preliminary debate by the Committee a joint Australian and Polish resolution was submitted. This resolution provided that the Economic and Social Council should prepare annually a survey of world economic conditions and that the survey should include an analysis of the major dislocations of needs and supplies in world economy. It also provided that the Council should recommend measures to be taken by the General Assembly Member States through the appropriate specialized agencies. This resolution was approved by the Committee and adopted unanimously by the General Assembly, October 31, 1947.<sup>1</sup>

In considering the necessity for surveys on world economic conditions and trends, the Canadian delegation held that the initiative for such surveys should normally rest with the Economic and Social Council which was the appropriate United Nations organ to deal with such matters. It was considered, however, that if the General Assembly saw fit to direct the Council on this question, instructions given by the Assembly to the Council should be precise and specific and indicate exactly what information the Council was to provide.

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<sup>1</sup>The text of this resolution is given in Appendix II, C, p. 228.



## 12. IMPLEMENTATION OF RECOMMENDATIONS ON ECONOMIC AND SOCIAL MATTERS

In a resolution presented by the Polish delegation it was proposed that the General Assembly should call upon Member States to implement all recommendations of the General Assembly on economic and social matters and make use of the machinery of the United Nations in settling international economic problems. It was also proposed that Member States should be advised not to establish for these purposes machinery outside of the United Nations. The debate on this resolution gave rise to a vigorous discussion in the Second Committee, in particular concerning the work of the Committee on European Economic Co-operation which had been set up as a result of the Marshall offer of economic assistance in Europe.

The representatives of Poland, Yugoslavia and Byelorussia claimed that this Committee was deciding major matters of economic policy outside of the United Nations and that undue importance was being given to the reconstruction of Germany. It was contended that the existence of this Committee was dividing Europe and aggravating political differences between nations. The Soviet representative contended that the European Recovery Programme was a weapon of "imperialistic" United States policy designed to undermine the independence of democratic countries in Europe. This was categorically denied by the United States representative, who in turn was supported by representatives of those countries which took part in the Paris Conference on European Economic Co-operation.

The Canadian representative expressed the view that the work of the European Economic Committee appeared to be constructive and that international economic action need not be carried out entirely through United Nations machinery. He reserved the Canadian position on the Polish resolution as a whole. Eventually, the United States amendment deleted from the resolution reference

to the use of United Nations machinery in settling international economic problems; it was adopted, and the provision that Member States should not establish machinery outside the United Nations to settle economic problems was also rejected. The resolution as amended was then approved by 36 votes to 2, with 8 abstentions, and in plenary session of the General Assembly on October 31 the resolution was adopted unanimously. As approved by the General Assembly the resolution calls upon Member States to carry out all recommendations of the General Assembly on economic and social matters and provides that the Secretary-General should report annually to the Economic and Social Council on steps taken by Member Governments to give effect to recommendations of the Council and of the General Assembly on matters falling within the Council's competence.<sup>1</sup>

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<sup>1</sup>The text of this resolution is given in Appendix II, D, p. 229.

### 13. REGIONAL ECONOMIC COMMISSIONS

At the fourth session of the Economic and Social Council in February, 1947, it was decided to establish Regional Economic Commissions for Europe and for Asia and the Far East to ensure co-operation on problems of reconstruction and economic development in those areas. At the first session of the Economic and Social Council in July, 1947, an *ad hoc* Committee was set up to consider the establishment of a similar Economic Commission for Latin America. Arising from the report of the Economic and Social Council, this question was considered at the Second Session of the General Assembly in the Second Committee. The representative of Chile, the state which was the original advocate of the establishment of the Commission, informed the Committee that, pending receipt of the report of the *ad hoc* Committee, the matter would not be pressed.

In the Second Committee, an Egyptian resolution was introduced inviting the Economic and Social Council to study the establishment of an Economic Commission for the Middle East. In this resolution reference was made to the need for close co-operation between the United Nations and the Arab League. In its original form, the resolution was not acceptable to the Committee and numerous amendments were proposed. The Canadian delegation suggested that all reference in the resolution to collaboration between the United Nations and the Arab League should be deleted since it would be inappropriate to emphasize the position of this organization. The Egyptian delegation, in an effort to meet the various amendments, submitted a second resolution which was eventually adopted by the Committee.

This resolution provides for study by the Economic and Social Council of factors bearing on the establishment of an Economic Commission for the Middle East and notes the instructions already given to the Economic and Employment Commission of the Council to study the general problems connected with the establishment of



Regional Commissions as a means of promoting the aims of the United Nations. The resolution as adopted mentions the decision of the Economic and Social Council to set up an *ad hoc* Committee to study the question of an Economic Commission for Latin America and records the favourable reception given to this proposal by the Second Committee. The U.S.S.R., Byelorussia and the Ukraine objected to the inclusion of this latter notice on the ground that the mention of the Economic Commission for Latin America in a resolution concerning a commission for the Near East was contrary to the rules of procedure and was intended to imply approval for the establishment of an Economic Commission for Latin America. For this reason these three countries refused to participate in the voting on the resolution. In plenary session of the General Assembly, however, this resolution<sup>1</sup> was adopted by a vote of 45 in favour with 4 abstentions. Canada voted for the proposal.

During the discussion of the question of Regional Commissions, the Soviet representative introduced a resolution that the Assembly should recommend that the Economic and Social Council supplement the original membership of the Economic Commission for Asia and the Far East by including all countries in this geographical area which were Members of the United Nations but did not participate in existing Regional Commissions. This resolution did not receive the support of the states which would have been affected. The Soviet resolution also proposed that the Economic and Social Council should revise the procedure for communication between the Economic Commission for Asia and the Far East and the non-self-governing territories in that area. The purpose of this latter provision was to allow direct communication between the Commission and a non-self-governing territory irrespective of the wishes of the metropolitan power concerned.

The metropolitan powers (the United Kingdom, the Netherlands and France) took exception to the means proposed by the U.S.S.R. for direct communication between the Commission and non-self-governing territories. It was pointed out that in international law the metropolitan government was responsible for non-self-govern-

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<sup>1</sup>The text of the resolution as adopted is given in Appendix II, D, p. 229.

ing territories within its jurisdiction and that communication would therefore have to be directed to the metropolitan power. All these States, however, gave assurance that all applications to the Commission from non-self-governing territories would be forwarded as received. It seemed clear to the majority of members of the Committee that the Soviet proposals had been introduced for the purpose of embarrassing the States controlling territories in the Far East. In the voting, both parts of the Soviet proposal were defeated.

#### 14. APPLICATIONS BY ITALY AND AUSTRIA FOR MEMBERSHIP IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

Prior to the opening of the Second Session of the General Assembly, applications had been received from Italy and Austria for admission to the International Civil Aviation Organization. In accordance with the agreement between the United Nations and this organization, these applications were forwarded to the Secretary-General of the United Nations for consideration. This matter was discussed in the Second Committee and again in plenary session of the General Assembly and the application from the Government of Italy was unanimously approved. As for Austria, however, the Soviet representative argued that admission would be inappropriate since it possessed no civil aviation and control was exercised in Austria by the Allied authorities.

The representatives of the United Kingdom and the United States, the other occupying powers in Austria, supported the Austrian application since the interests of air safety required that international conventions should be applied wherever possible. In the final vote the admission of Austria to the International Civil Aviation Organization was approved with 39 in favour, 5 opposed and 2 abstentions. Canada voted with the majority.



## 15. RELIEF NEEDS AFTER THE TERMINATION OF UNRRA

At the first part of the First Session of the General Assembly in 1946, a long discussion took place concerning the relief needs after the termination of UNRRA.<sup>1</sup> The existence of a continuing problem of international relief was accepted generally. After prolonged consideration, the Assembly in its resolution of December 11, 1946, called upon all Members of the United Nations to assist in meeting the need by developing their individual relief programmes with the greatest possible speed. In this resolution, which was adopted unanimously, it was recognized:

- (a) that certain countries would need financial assistance in 1947 to provide imports of food;
- (b) that such needs for assistance might not in all cases be entirely met by international agencies or by other public and private agencies available for this purpose;
- (c) that in some countries in which assistance was not provided there would be hunger, privation and suffering during the spring and summer of 1947;
- (d) that there was an urgent necessity for meeting this need and that Members of the United Nations had expressed willingness to do their part in attaining this end.

The resolution moreover explicitly reaffirmed the principle that "at no time should relief supplies be used as a political weapon and that no discrimination be used in the distribution of relief supplies because of race, creed or political belief".

In accordance with the provisions of this resolution the Secretary-General in the early part of 1947 convened a Special Technical Committee of Experts to study the minimum import requirements of the countries needing aid. The Committee reported relief needs as follows:

	(Millions of U.S. dollars)
Austria .....	\$143.5
Greece .....	84.3
Hungary .....	40.2
Italy .....	106.9
Poland .....	139.9
Yugoslavia .....	68.2

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<sup>1</sup>See *The United Nations 1946*, Department of External Affairs, Conference Series 1946, No. 3, p. 83.

The findings of this Committee were transmitted by the Secretary-General during the last week of January, 1947, to all Members of the United Nations.

The Secretary-General on May 24, 1947, addressed a formal communication to all Members of the United Nations requesting information concerning their plans for meeting relief needs in 1947. From the information received up to July 15, 1947, it was evident that plans adequate to meet approximately one-half of total financial assistance needed for the minimum imports required to supply the basic essentials of life were receiving consideration by Member Governments.

At the fifth session of the Economic and Social Council held July and August, 1947, action was taken to place the question of relief needs again on the agenda of the General Assembly at its Second Session. When the Assembly met, the subject was referred to the Second Committee where the Soviet, Yugoslav and Byelorussian representatives attacked the United States post-UNNRA relief policy on the grounds that relief had been granted for political reasons rather than on the basis of need. The representatives of these Slav States were particularly bitter on this point since Poland, Hungary and Yugoslavia had not received United States aid.

Yugoslavia introduced a resolution reaffirming the principles of the previous General Assembly resolution on post-UNRRA relief, expressing regret that the 1946 resolution had not been implemented in the way indicated and calling upon all Member States to adhere in future to the principles of this resolution. In reply to the contentions of the Slav representatives, the United States and other countries which had granted post-UNRRA relief gave details of the aid granted by them during the period prior to the Second Session of the Assembly. It became apparent, after long and bitter debate, that general support would not be forthcoming for the Yugoslav resolution and it was rejected when put to the vote by 24 to 26 with 12 abstentions. Canada voted against the resolution. The General Assembly in plenary session on November 15, 1947, took note of the report of the Second Committee on relief needs after the termination of UNRRA. Since the report made no recommendation to the Assembly, there was no resolution to be voted upon.



## 16. AGREEMENTS WITH SPECIALIZED AGENCIES

Under Articles 63 and 64 of the Charter of the United Nations, the Economic and Social Council is charged with the co-ordination of the work of the specialized agencies in their various fields of international activity. To this end, provision is made for the conclusion of agreements between each of the specialized agencies and the United Nations. At the second part of the First Session of the General Assembly in 1946 agreements of this nature were approved with the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization and the International Civil Aviation Organization.<sup>1</sup>

At the Second Session of the General Assembly five draft agreements with specialized agencies were submitted for consideration. These agreements had been approved by the Economic and Social Council at its fifth session in July and August, 1947. They had been negotiated with the World Health Organization, the International Bank for Reconstruction and Development, the International Monetary Fund, the International Telecommunications Union and the Universal Postal Union. The draft agreement with the World Health Organization followed closely agreements already entered into with other specialized agencies. In negotiating agreements with the Universal Postal Union and the International Telecommunications Union, however, the Economic and Social Council recognized that in structure these two organizations are not entirely comparable to other specialized agencies. As a result agreements with these two organizations omit certain provisions common to the other agreements which had been previously negotiated. In general these are less detailed and provide for a relationship with the United Nations which is more loosely defined. These differences were adopted partly because the International Telecommunications Union

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<sup>1</sup>See *The United Nations 1946*, Department of External Affairs, Conference Series No. 3, 1946, p. 100.



and the Universal Postal Union have been functioning effectively for many years and did not consider it necessary to accept a close relationship with the United Nations.

In recommending that the General Assembly approve the agreements with these two organizations, the Economic and Social Council observed that the policies and activities of the specialized agencies and the organizations of the United Nations should be co-ordinated. The special circumstances making impossible an agreement in closer conformity with other agreements with specialized agencies were noted but these agreements were not to be regarded as precedents. The arrangements with the Universal Postal Union and with the International Telecommunications Union were approved unanimously by the General Assembly as was the agreement with the World Health Organization.

In the Joint Second and Third Committees, the draft agreements with the International Bank for Reconstruction and Development and with the International Monetary Fund gave rise to protracted debate. These agreements had been negotiated during the fifth session of the Economic and Social Council by its Committee on Negotiations with Specialized Agencies and had received the Council's approval. They were drawn up in a form which differed considerably from that of previous agreements, in view of the responsibility placed upon the Bank and Fund, the confidential character of their operations and of the fact that they are financed from a general operating fund and not from annual contributions by United Nations Members. In the agreement with the Bank, the United Nations recognized that action to be taken by the Bank on any loan is a matter for the independent exercise of the Bank's own judgment and that it would therefore be inappropriate for the United Nations to make recommendations to the Bank concerning specific loans. It is provided, however, that recommendations relevant to technical aspects of the Bank's projects might be made. The agreements negotiated did not give to the United Nations the same powers of co-ordination and recommendation as did other agreements with specialized agencies. Lengthy discussion took place on the articles dealing with recommendations by the United Nations on reciprocal representation and budgetary con-

trol. The view of the Soviet Union and of the other Slav States was that the agreements violated the provisions of the Charter of the United Nations dealing with specialized agencies. The representatives of the United Kingdom and the United States and the majority of the members of the Committee took the view that the agreements did not violate the Charter since the proposed limitations on United Nations powers with respect to the Bank and the Fund were discretionary under the Charter. Furthermore, special budget terms were appropriate, because of the unique operating and financial status of the Bank and the Fund. Yugoslav and Soviet proposals which would have reopened discussion of these agreements were rejected by the Committee and the arrangements were eventually approved by a vote of 39 in favour with 4 against and 2 abstentions. Canada voted with the majority. The Canadian position was that the agreements, while not ideal were the best which could be obtained in the circumstances. In plenary session of the General Assembly the agreements were approved with the Soviet Union abstaining.

## 17. INCREASE IN THE MEMBERSHIP OF THE ECONOMIC AND SOCIAL COUNCIL

The Argentine proposal to increase the membership of the Economic and Social Council from 18 to 24 was referred by the General Assembly to the Joint Second and Third Committee for consideration. The Argentine representative in supporting this proposal argued that the increase in membership was made necessary by the increasing scope and complexity of the work of the Council and by the increased membership of the United Nations. Discussion indicated that the majority of delegations thought this move inappropriate since it involved an amendment to the Charter. The present membership of the Economic and Social Council was considered adequate for the effective discharge of its responsibilities. As a consequence of these views the Argentinian representative withdrew the proposal on the understanding that Argentina reserved the right to reintroduce the proposal at a future meeting of the General Assembly. During the course of the debate in the Second and Third Committee on the Argentine proposal, the Indian representative attempted to introduce a further resolution for "a more equitable geographic distribution of the membership of the Council". It was suggested that this resolution could not properly be discussed since it had not been referred to the Committee by the General Assembly. The Chairman concurred in this view and ruled that this was a new item and could not be considered.

In the plenary session of the General Assembly on November 15, the Argentinian representative stated that the resolution would again be presented at the Third Session of the Assembly.



## 18. SOCIAL WELFARE SERVICES

By a resolution of December 14, 1936, the General Assembly authorized the Secretary-General, in consultation with the Economic and Social Council, to make provision for the continuance of the advisory social welfare functions of UNRRA wherever the need was particularly urgent. Accordingly, the Secretary-General was authorized to include in the budget of the United Nations for 1947 the necessary funds to make social welfare experts available to governments requesting their services, to grant fellowships to welfare officials, to provide advice in the manufacture of prosthetic appliances and to furnish technical assistance in the recruiting of social welfare workers for governments of Member States devastated by war.<sup>1</sup>

In February, 1947, the Economic and Social Council, on the advice of the Social Commission and the Temporary Social Welfare Committee, recommended that the Secretary-General make no distinction when considering applications for advisory social welfare services between countries formerly receiving assistance from UNRRA except in terms of their need. The Council also recommended that some of the funds available should be used to assist certain of the Member States which had not received UNRRA assistance but, which, being less developed areas, required social welfare service. At the Second Session of the General Assembly, in the discussions in the Third Committee (Social) arising from the report of the Economic and Social Council on social welfare services, the representative of the United Kingdom proposed a large scale reduction in the budgetary provision for these services. It was the United Kingdom view that the United Nations in the field of advisory social welfare should act only as a stimulating influence rather than as an operating agency. This view, however, did not find favour with the majority of the Committee.

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<sup>1</sup> See *The United Nations, 1946*, Department of External Affairs, Conference Series No. 3, 1946, pp. 100 and 101.

The Canadian representative stated that these functions of the United Nations should not be considered permanent; they were designed as emergency measures and it did not yet appear advisable to terminate them. He expressed the view that these services should be continued for at least another year at a cost not larger than provided for in the 1948 budget.<sup>1</sup> In the vote, the United Kingdom resolution for reduction in the appropriation for social welfare services was rejected.<sup>2</sup>

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<sup>1</sup>The full text of the Canadian statement is given in Appendix II, E, p. 229.

<sup>2</sup>See *United Nations Budget for 1948*, page 131 below for the appropriation approved for social welfare services during 1948.

## 19. RATIFICATION OF THE CONSTITUTION OF THE WORLD HEALTH ORGANIZATION

The Constitution of the World Health Organization requires 26 ratifications before the organization can be brought into existence. Until the time of the Second Session of the General Assembly the required number of ratifications had not been received and the World Health Organization continued as an Interim Commission. The United Kingdom in the Third Committee recommended that all Members of the United Nations who had not already done so accept the Constitution of the World Health Organization at the earliest possible date. The proposal also authorized the Secretary-General to transmit this recommendation to all States whether Members of the United Nations or not. This resolution was approved unanimously by the Committee and later by the General Assembly on November 17, 1947.



## 20. CONFERENCE ON FREEDOM OF INFORMATION

At the fifth session of the Economic and Social Council in July-August, 1947, a resolution was adopted providing for the convening of a United Nations Conference on Freedom of Information and approving a provisional agenda which had been prepared by the Sub-commission on Freedom of Information at its first session in May and June, 1947. Mr. G. F. Ferguson, editor of a Canadian newspaper, serves as an expert on this Sub-commission. During the meetings of the Economic and Social Council there was extensive discussion on the inclusion of certain items in the provisional agenda and on the method of voting at the conference. In regard to voting, the Council decided that States not Members of the United Nations which were invited to the Conference on Freedom of Information would not be granted the right to vote. This decision was opposed by the Soviet Union which at the Second Session of the General Assembly, introduced a resolution in the Third Committee to reverse the decision of the Council concerning voting rights and to place on the agenda of the forthcoming conference a statement of Soviet views on the principles of freedom of information and of the press.

These principles had already been proposed by the Soviet representative at both meetings of the Sub-commission on Freedom of Information and in the Economic and Social Council. It was the view of the United States representative and of the majority of members of the Third Committee that it would be preferable to leave detailed consideration of the Soviet proposals to the conference itself. The Soviet resolution was rejected by the Committee with the exception of the following words, "the proposal of the Economic and Social Council that the conference be held at Geneva beginning March 23, 1948, be accepted". This part of the resolution was approved.

The Indian representative eventually introduced a resolution which merely took note of the provisional agenda of the forthcoming

conference and invited the attention of the Economic and Social Council to the discussion of this matter in the Third Committee of the General Assembly. This resolution was adopted by the Committee. The Canadian representative did not participate in any discussion on the question of the Conference of Freedom of Information but supported the Indian resolution both in the Committee and in the General Assembly on November 17 when it was adopted unanimously.

## 21. EXCHANGE OF WORKERS

In the Third Committee consideration was given to a French resolution concerning exchange of manual workers between countries. The French resolution invited the Secretary-General to consider "the terms on which Members who are agreeable could arrange an exchange of manual workers who wish to take courses to improve their knowledge of their trade and to study on the spot the economic and social problems confronting their comrades in other countries". The representative of the United Kingdom proposed an amendment placing the responsibility for such an exchange of workers on individual governments through direct agreements. This amendment was adopted by the Committee as was an Argentine proposal to delete the word "manual" from the French resolution. The resolution as amended was approved in the Third Committee and by the plenary session of the General Assembly. It urges Member States which so desire to arrange with each other by direct agreement such terms and conditions as will facilitate the maximum possible exchange of workers wishing to take a period of training in order to improve their knowledge of their trade.<sup>1</sup>

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<sup>1</sup>The text of this resolution is given in Appendix II, F. p. 230.



## 22. ENQUIRY CONCERNING THE MASTICATION OF COCA LEAVES

The representative of Peru submitted in the Third Committee a resolution asking the Economic and Social Council to consider the advisability of sending a committee of experts to study the effects of the habit of chewing coca leaves on the inhabitants of certain Andean regions. In submitting this resolution the Peruvian representative stated that, in this respect, a social problem of the first order existed. The Peruvian resolution was approved in committee without discussion and was unanimously adopted in the plenary session of the General Assembly of November 17, 1947.

## 23. RATIFICATION OF THE PROTOCOL CONCERN- ING CONTROL OF NARCOTIC DRUGS

The representative of Chile introduced in the Third Committee a resolution which urged all Member States who had signed the Proccol on Narcotic Drugs of December 11, 1946, to deposit their Instruments of Acceptance as soon as possible so that amendments to previous International Agreements, Conventions, together with the Proccol, might enter into force by the end of 1947. The representative of Chile stated that the deposit of 34 Instruments of Acceptance was required before the Protocol could have effect but that 26 States only had so far taken this action. The Chilean resolution was adopted unanimously both in the Third Committee and in plenary session of the General Assembly. The Protocol was signed by Canada on December 11, 1946.

## 24. INTERNATIONAL CHILDREN'S EMERGENCY FUND

In accordance with the decision of the General Assembly of December 11, 1946, a report on the activities of the International Children's Emergency Fund was submitted to the General Assembly.<sup>1</sup> This report was considered in the Third Committee. Mr. Maurice Pate, Executive Director of the International Children's Emergency Fund, informed the Committee that the Fund would be operating in 12 European countries and in China and that it had received contributions of \$5,650,000 from UNRRA, \$15,000,000 from the United States and \$10,000,000 from other countries (the Canadian contribution was \$5,000,000). The Committee unanimously adopted a resolution submitted by the French delegation expressing satisfaction with the work done by the Children's Fund, approving the report of its Executive Board, endorsing the United Nations Appeal for Children and recommending that all countries cooperate in making the appeal successful. This resolution was adopted unanimously by the General Assembly on November 20. The United Nations Appeal for Children is a world-wide voluntary appeal to secure resources for the International Children's Emergency Fund, in addition to government contributions.

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<sup>1</sup>For a discussion of the establishment of the International Children's Emergency Fund see *The United Nations 1946*, Department of External Affairs, Conference Series, No. 3, pp. 86 to 87.



## 25. TRANSFER TO WORLD HEALTH ORGANIZATION OF CERTAIN LEAGUE OF NATIONS ASSETS

At a meeting of April 22, 1947, the Interim Commission of the World Health Organization adopted a resolution concerning the transfer of functions, activities and assets of the League of Nations Health Organization. By this resolution the Executive Secretary of the Interim Commission was instructed to take the necessary steps with the Secretary-General, the Economic and Social Council and the General Assembly of the United Nations to:

- (1) transfer title and ownership of the health and medical sections of the League of Nations Library from the United Nations to the World Health Organization;
- (2) transfer title and ownership of archives and correspondence files of the League of Nations Health Section from the United Nations Registry to the World Health Organization;
- (3) transfer ownership of publications of the League of Nations Health Section to the World Health Organization;
- (4) transfer the archives, furniture and financial assets of the Eastern Bureau of Epidemiological Intelligence of the League of Nations in Singapore;
- (5) transfer the assets of the Darling Foundation and the Leon Bernard Fund to the World Health Organization.

This resolution was recommended to the General Assembly for approval by the Economic and Social Council and was adopted by the General Assembly without discussion.

## 26. SUPPRESSION OF THE TRAFFIC IN WOMEN AND CHILDREN AND IN OBSCENE PUBLICATIONS<sup>1</sup>

At the fourth and fifth sessions of the Economic and Social Council resolutions were adopted which requested the Secretary-General to take the steps necessary to transfer to the United Nations the functions formerly exercised by the League of Nations with regard to the Conventions for the suppression of traffic in women and children and in obscene publications. This matter was considered by the Third Committee of the General Assembly. The Soviet representative proposed the deletion of those articles in the Conventions concerning the application of the Conventions to colonies and protectorates. It was the Soviet view that the application of these Conventions to non-self-governing territories should be automatic, precisely as to metropolitan powers, since otherwise metropolitan powers would not be bound to suppress the traffic in their colonies and protectorates.

The United Kingdom and the United States argued that it was not the function of the General Assembly to amend the Conventions but merely to transfer the former functions of the League of Nations under the Conventions to the United Nations. On a roll call vote the amendment of the Soviet Union was adopted with 16 votes in favour, 12 against and 18 abstentions. The resolution as amended was then adopted by 45 in favour with 2 abstentions. The Canadian representative opposed the Soviet amendment but voted for the resolution as a whole. When this resolution was discussed in plenary session the United Kingdom submitted an amendment to omit from the report of the Third Committee those sections deleting from the Conventions the colonial application clauses. The United Kingdom representative wished to preserve, as he stated, the constitutional right of the colonies to decide for themselves whether they

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<sup>1</sup> International Convention of September 30, 1921, on the traffic of women and children, Convention of October 11, 1933, on the traffic in women of full age, and Convention of September 12, 1933, on the traffic in obscene publications.

should or should not adhere to conventions of this nature. This, he said, was a right in accordance with good democratic practice and consistent with the progressive development of real self-government. This amendment was defeated in plenary session and the resolution was then adopted by 52 votes in favour, none against and 3 abstentions. In approving this resolution the Assembly urged that the amended international Conventions be signed without delay and instructed the Secretary-General to perform the functions conferred upon him by these Protocols when they entered into force. The resolution also directed the Economic and Social Council and the Secretary-General to suspend all action under these Conventions and Protocols with respect to Spain.



## 27. REPORTS FROM REGIONAL CONFERENCES AND ASSEMBLIES

In discussing the report of the Economic and Social Council, the Argentine representative submitted a resolution which referred to regional conferences. It recommended that Members of the United Nations which participated in regional conferences or assemblies should not discuss items already under consideration in the Economic and Social Council but should instead communicate to the Council data in their possession which would make possible a general solution for such problems. To this proposal a number of amendments were submitted in the Third Committee. The Argentine representative stated that he would agree to these amendments provided that the reference to regional conferences was retained as the basis for any final resolution. As approved by unanimous vote of the General Assembly, the resolution recommends to Members of the United Nations holding regional conferences or assemblies that the conclusions reached or studies made falling within the competence of the Economic and Social Council should be reported to the Council in order to facilitate comprehensive solutions of economic and social problems.

## 28. PREVENTION OF FALSE OR DISTORTED REPORTS

The subject of false or distorted reports was raised in a resolution proposed by the Yugoslav delegation for the "Prevention of the Dissemination to the Detriment of Foreign States of Slanderous Statements which are Harmful to Good Relations between States and in Conflict with the Purposes and Principles of the United Nations". The resolution recommended that the General Assembly advise Member States to take urgent legislative and other measures to establish the responsibility of the persons publishing or circulating false and contentious reports calculated to impair relations between nations and incite to war. The resolution further recommended that States should take measures to prevent the publication and dissemination through the channels of governmental bodies of reports not carefully and conscientiously verified. The debate in the Third Committee on this resolution was similar to that in the First Committee on the Soviet resolution on war propaganda. The resolution was criticized for the absence of a precise legal definition of the words "contentious and slanderous reports".

Another criticism was that the Conference on Freedom of Information to be held in 1948 was the appropriate occasion for discussion of the issues raised by the Yugoslav representative. The Canadian delegate stated that the Yugoslav resolution was not acceptable since it implied the necessity for legislative action on the part of governments which would restrict the rights of freedom of the press.<sup>1</sup> The French delegation in a conciliatory effort to combine the many amendments which had been made to the Yugoslav resolution submitted a new proposal which invited governments to study such measures as might be taken on the national plane to combat, within the limits of constitutional procedure, the diffusion of false or distorted reports likely to injure friendly relations between states.

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<sup>1</sup>The full text of the statement by the Canadian representative on this subject is given in Appendix II, G, p. 231.

This resolution also recommended that reports on this subject be submitted to the Conference on Freedom of Information which should consider with a view to their co-ordination, the measures taken or advocated by the various states. This resolution was approved unanimously by the General Assembly on November 15, 1947, and the title of the resolution was amended to read "False or Distorted Reports".<sup>1</sup>

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<sup>1</sup>The text of this resolution is given in Appendix II, H, p. 231.



## 29. TRADE UNION RIGHTS (FREEDOM OF ASSOCIATION)

The question of trade union rights had been placed on the agenda of the fourth session of the Economic and Social Council in February, 1947, by the World Federation of Trade Unions. This matter was referred by the Economic and Social Council to the International Labour Organization for study. The Economic and Social Council, at its fifth session, received the report of the I.L.O. and endorsed the findings of the organization with respect to trade union rights. In the Third Committee at the Second Session of the General Assembly, this section of the Council's report gave rise to a lengthy and at times acrimonious debate. The Soviet representative and the representative of the Slav States were opposed to endorsing the work done in the field of trade union rights in the Economic and Social Council and by the International Labour Organization. The Soviet representative criticized the action of the Economic and Social Council in referring memoranda of the World Federation of Trade Unions to the I.L.O. In addition, he stated that the I.L.O. report dealt with the right of association in general and not specifically with trade union rights.

During the debate, the Argentine representative sought to have included in the resolution on this subject a declaration on the rights of workers. This was opposed by the majority of the members of the Committee. Finally, a French resolution which endorsed the work of the I.L.O. and of the Economic and Social Council was approved by a vote of 31 in favour, 5 against, and 6 abstentions. Canada voted for this proposal. The resolution as adopted by the General Assembly, in addition to approving the Council's decisions on trade union rights stated that "the inalienable right of trade union freedom of association is, as well as other social safeguards, essential to the improvement of the standard of living of workers

and to their economic well being".<sup>1</sup> On the suggestion of the Argentine representative, it was agreed in plenary session of the General Assembly to annex to this resolution a declaration of the rights of workers.

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<sup>1</sup>The text of this resolution is given in Appendix II, I, p. 232.

### 30. PREVENTION OF IMMIGRATION LIKELY TO DISTURB FRIENDLY RELATIONS BETWEEN STATES

The question of immigration likely to disturb friendly relations between States was placed on the agenda of the General Assembly by Egypt, Iraq and Lebanon. The resolution introduced by these countries recalled the Assembly's decision of 1946 condemning racial and religious discrimination and charged that groups of self-appointed committees and organizations were interfering with the task being discharged by the Preparatory Commission for the International Refugee Organization. The resolution proposed that Member States should cease aiding such organizations and that the General Assembly should recommend the principle that population movements which might affect friendly relations should take place only with the consent of the state or peoples directly involved.

The resolution went on to propose that the Economic and Social Council should immediately call an international conference to expedite a solution of the refugee problem through the I.R.O. The concern of these Near Eastern countries with the problem of immigration arose directly from their opposition to the movement of refugee Jews to Palestine. The United States representative suggested that since the Palestine question was being discussed in another committee of the Assembly, it would be inappropriate for the Social Committee to adopt any resolution on this subject. This view was not acceptable to the Arab States.

In the debate, the Soviet Union and certain other east European states proposed that all obstructions to the repatriation of displaced persons should be removed and that Member States should cease recruiting displaced persons from other countries. The United Kingdom proposed that the Assembly should recommend that Member States adopt urgent measures to settle a fair share of displaced persons in their countries and report what action had been taken with respect to a similar recommendation approved by the General



Assembly in 1946. This resolution also recommended that Member States should develop through I.R.O. overall plans to effect resettlement of refugees and displaced persons. A fourth resolution was introduced by the Indian delegation. It was eventually decided that a sub-committee should be set up to consolidate the various proposals into a single resolution. The sub-committee reported unanimously to the Third Committee which adopted its proposed resolution by a vote of 3 in favour, 1 against and 12 abstentions. Canada which had been a member of this sub-committee voted for the proposed resolution. It was approved by the General Assembly in plenary session on November 17, 1947.<sup>1</sup> The resolution as approved noted that two resolutions on the refugee question and a third calling on governments to take action against discrimination, all of which had been approved at the second part of the First Session of the General Assembly, "have not been fully implemented".<sup>2</sup>

The operative part of the resolution calls upon governments to implement the 1946 resolution on discrimination and reaffirms the Assembly's position on repatriation of displaced persons. The resolution also invites Member States not to accord aid and protection to individuals or organizations which are engaged in promoting or conducting illegal immigration. The resolution recommends that Member States take measures to return repatriable refugees to their countries of origin and to report without delay on the possibility of their receiving a fair share of non-repatriables.

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<sup>1</sup> The text of this resolution is given in Appendix II, J, p. 234.

<sup>2</sup> A full account of the discussions concerning the problem of refugees and displaced persons at the second part of the First Session of the General Assembly is given in *The United Nations 1946*, Department of External Affairs Conference Series, No. 3, pp. 77 to 82.

### 31. TEACHING OF THE PURPOSES AND PRINCIPLES OF THE UNITED NATIONS IN THE SCHOOLS OF MEMBER STATES

The Norwegian representative, in submitting a resolution on the subject of the teaching of the purposes and principles of the United Nations in the schools of Member States, expressed the view that the public gave too much attention to the political differences in the United Nations and largely ignored the positive work being accomplished by the organization. The resolution recommended that Member Governments encourage teaching on the United Nations Charter, the purposes and principles, the structure, background, and activities of the organization, in the schools and institutions of higher learning of their countries, particularly in the elementary and secondary schools. This draft resolution met with general approval.

However, when the vote was taken, the Canadian representative abstained on the grounds that within the federal system in Canada each of the provincial governments had complete control over educational matters. Before it was approved in plenary session after unanimous vote, an amendment was made in the resolution on the initiative of Cuba requesting Member States to furnish the Secretary-General with information on measures taken to implement the resolution.<sup>1</sup>

The Canadian representative in voting for the resolution in plenary session explained that Canada had abstained in the Third Committee to draw attention to the constitutional limitations of the federal government of Canada in the field of education. In voting for the resolution in plenary session, Canada desired to support the principles enunciated and to indicate the willingness of the Canadian Government to fulfil the purposes of the resolution insofar as the Canadian constitutional system permitted.

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<sup>1</sup> The text of this resolution and of the two Canadian statements on this matter is given in Appendix II, K, p. 235.

## 32. ELECTIONS TO THE ECONOMIC AND SOCIAL COUNCIL

The Economic and Social Council of the United Nations is composed of 18 elected members. At the Second Session of the General Assembly, the United Kingdom and the Soviet Union were re-elected to the Council for three-year periods and Australia, Brazil, Denmark and Poland for a similar period. Canada is a member of the Economic and Social Council until the end of 1948.





**Trusteeship Questions and  
Non-Self-Governing Territories**





### 33. THE TRUSTEESHIP COUNCIL

The Fourth (Trusteeship) Committee of the United Nations General Assembly undertook for the first time in October, 1947, the routine examination of a report to the Assembly by the Trusteeship Council, which had been established in December, 1946. The Trusteeship Council had met in its first session from March 26 to April 28, 1947, with representatives of three specialized agencies in attendance in addition to nine of the ten members of the Council itself. The U.S.S.R., in protest against certain features of the existing trusteeship agreements which it regarded as being contrary to the Charter, did not attend.

#### The Trusteeship Council:

- (1) revised extensively the draft rules of procedure which had been prepared for it in London by the Preparatory Commission;
- (2) drew up a questionnaire to form the basis of annual reports from trust territories;
- (3) made arrangements to send a visiting mission to Western Samoa in response to a petition asking for the political unification and independence of the Samoan Islands;
- (4) upheld the decisions of the administering authority regarding exclusion from Tanganyika of persons who had petitioned the Trusteeship Council in the hope of being permitted to live in that territory;
- (5) referred to the I.L.O. other petitions relating to its draft convention on social policy in non-metropolitan territories;
- (6) appointed a committee of three to maintain close relations with the Economic and Social Council;
- (7) authorized the appointment of another committee to participate in future negotiations with inter-governmental organizations;
- (8) adopted a resolution recommending that regular budgetary provision should be made for periodic visits of inspection to trust territories.

In the Fourth Committee the rules of procedure of the Trusteeship Council and the proposed questionnaire were criticized by central and eastern European, Iraqi and Indian delegates, on the ground that they did not emphasize sufficiently or safeguard the interests of inhabitants of trust territories. It was finally agreed that the comments offered by these delegates should be transmitted to the Trusteeship Council for consideration.

Some difficulty was experienced by the Assembly in choosing two new "non-administering" members for the Trusteeship Council. Their election became necessary to restore the required balance between administering and non-administering members when islands formerly under Japanese mandate came officially under United States trusteeship on April 2, 1947. Up to that date the Trusteeship Council had been composed of five administering and five non-administering members. Thereafter the ratio had been 6 to 4. The Philippines, Norway, Costa Rica and Siam were candidates for election to the two vacant seats. After repeated balloting the Philippines and Costa Rica were declared elected, but this result was not reached until November 13, earlier attempts of each of the candidates to secure a two-thirds majority having failed. The two new members will hold their seats for a three-year period.

The members of the Trusteeship Council as presently constituted are as follows:

Administering Trusteeship Territories:

Australia  
Belgium  
France  
New Zealand  
United Kingdom  
United States

Non-Administering Trusteeship Territories:

China  
Costa Rica  
Iraq  
Mexico  
Philippines  
U.S.S.R.

## 34. TRUSTEESHIP AGREEMENT FOR NAURU

Nauru, a small phosphate island in the Pacific about 26 miles below the equator directly south of the Marshall Islands and formerly under British Empire mandate, came under the jurisdiction of the Trusteeship Council when the Assembly, at its Second Session, approved with slight amendments the trusteeship agreement which had been submitted by the Governments of Australia, New Zealand and the United Kingdom.

In the Fourth Committee, where this matter had been discussed, the Soviet, Polish, Yugoslav and Ukrainian delegates had opposed the draft agreement on the ground that it reproduced most of the objectionable features of the eight trusteeship agreements approved by the Assembly in December, 1946. These agreements concerned New Guinea, Ruanda-Urundi, Cameroons (French), Togoland (French), Western Samoa, Tanganyika, Cameroons (British) and Togoland (British).<sup>1</sup> The Soviet delegate offered amendments providing for periodic visits to Nauru by representatives of the Trusteeship Council or the Assembly, "the development of free political institutions" and of "democratic organs of representation", and the inclusion of a reference to Article 83 of the Charter. This was designed to prevent the administering powers from taking any military measures in Nauru unless the island had first been declared a strategic area under the jurisdiction of the Security Council. The three proposed amendments were defeated by large majorities, Canada voting against all three. In place of the reference to Article 83 desired by the Soviet Union, a modification was introduced into Article 7 of the agreement invoking the authority of Article 84 of the Charter for any military measures the administering authority might choose to take in the island. This Article provides that the administering authority must ensure that a trusteeship territory is in a position to play its part in the maintenance of international peace and security.

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<sup>1</sup> See *The United Nations 1946*, Department of External Affairs publication, Conference series 1946, No. 3, p. 106.



The Chinese delegate wished to secure for the large number of Chinese workers employed in Nauru, whose movements in the island are controlled, the same rights as are enjoyed by nationals of the three administering States. In this regard a formal statement was made on behalf of the three Governments, in which it was pointed out that in the interests of the native inhabitants it was necessary to maintain "appropriate non-discriminatory controls and restrictions on non-Nauruan residents". It was stated, however, that there would be no discrimination as between nationals of States, Members of the United Nations.

The trusteeship agreement for Nauru is one of the briefest documents of its kind. It covers adequately, however, the requirements of the Charter. It is expected that Australia will continue under the trusteeship agreement, as in the past under the mandate, to act as agent for the other two administering authorities and as their spokesman in matters concerning the administration of Nauru.

## 35. SOUTH WEST AFRICA

In December, 1946, the General Assembly, at the second part of its First Session, refused to approve a South African proposal to incorporate the mandated territory of South West Africa in the Union.<sup>1</sup> It recommended instead that the territory be placed under trusteeship and invited South Africa to propose a draft trusteeship agreement for consideration by the Assembly.

On April 11, 1947, the South African Parliament decided that instead of incorporating South West Africa in the Union as a new province it would merely permit representatives of the territory to sit in the Union Parliament "as an integral portion" of that body. The mandated territory would not be placed under trusteeship. Instead the Union Government would send annual reports on South West Africa to the Secretary-General of the United Nations and continue to administer the territory in the spirit of the League of Nations mandate.

At the Second Session of the General Assembly the South African delegate argued that his Government was neither legally nor morally bound to submit a trusteeship agreement for South West Africa. The people of the territory, he explained, were opposed to trusteeship and the Union Government must abide by their wishes to that extent, although it had not acceded to their request for incorporation in the metropolitan area.

Delegates of twenty states, including the U.S.S.R., expressed the view that South Africa was under both legal and moral obligation to place South West Africa under trusteeship. They maintained that the provisions of Chapter XI of the Charter regarding the establishment of trusteeship agreements for former mandated territories were compulsory. Eleven delegates, including those of Canada, the United Kingdom, and the United States, opposed this view, the delegate of Canada citing the records of the San Francisco Conference to prove that the transfer of mandated territories to the

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<sup>1</sup> See *The United Nations 1946*, Conference Series, 1946, No. 3, pp. 111 to 113.

trusteeship system was not obligatory.<sup>1</sup> Many delegates, however, and notably those of France and the United States, felt that the Assembly recommendation of December, 1946, laid on South Africa at least a moral obligation to submit a trusteeship agreement for South West Africa.

The delegate of India proposed a resolution expressing disapproval of the failure of South Africa to comply with the Assembly resolution and urging that state to submit a trusteeship agreement for consideration at the next regular session of the Assembly. To the Danish representative this seemed too severe. He therefore proposed an alternative resolution expressing the "hope" that South Africa would submit a draft agreement "at an early date". The Fourth Committee adopted the original Indian proposal, amended by a Polish resolution which pointed out that it was the "clear intention" of Chapter XII of the Charter that former mandated territories should be placed under trusteeship. Canada voted against the Indian proposal, together with the United Kingdom and other Members whose representatives considered it inappropriate in this case to set a time-limit for compliance with the wishes of the Assembly, since the circumstances did not warrant the delivery of an ultimatum. The Canadian delegate said he regretted that the Union Government had not seen fit yet to accept the invitation of the United Nations and expressed the hope that South Africa might reverse its previous decision.

In the Assembly the representative of Denmark succeeded in having the resolution modified so that it expressed the "hope" that the Union might "find it possible" to submit a trusteeship agreement at the Third Session of the Assembly. Canada voted against the amended resolution because it still seemed to imply that South Africa had refused to fulfil a definite obligation and because the imposition of a time-limit for submitting a draft trusteeship agreement would do nothing to help change public opinion in South Africa. The amended resolution was adopted by the Assembly, by a vote of 41 to 10 with 4 abstentions.<sup>1</sup>

<sup>1</sup> The text of the Canadian statement on this issue is given in Appendix III, A, p. 238.

<sup>2</sup> The text of the Assembly resolution on South West Africa is given in Appendix III, B, p. 239.



The resolution as adopted by the Assembly authorized the Trusteeship Council to examine a report on the administration of South West Africa in 1946 already submitted by the Union of South Africa.

## 36. NON-SELF-GOVERNING TERRITORIES

A resolution calling upon colonial powers to place under trusteeship those of their dependencies not yet ready for self-government was adopted by the Fourth Committee after lengthy debate by the narrow margin of 25 votes to 23. The resolution, sponsored by the Indian delegate and amended by the delegate of Cuba, was opposed by the colonial powers and eventually failed of adoption in the Assembly, where the vote was 24 to 24 with one abstention. Its adoption by the Assembly would have required the support of a two-thirds majority.

The proposal to place all dependent territories under trusteeship was defended on the ground that it provided a sure and quick way of enabling inhabitants of dependent territories to reach the goal of self-government or independence and all should therefore enjoy its benefits, particularly those territories where the population was backward or where racial discrimination existed. Opponents of the resolution argued that the proposal was an attempt to rewrite the Charter. At San Francisco it had been foreseen that many dependent territories would remain outside the trusteeship system and it was for the sake of these territories that a special declaration had been embodied in Chapter XI of the Charter. To insist now that all dependent territories should come under trusteeship agreements was, in their view, contrary to the provisions of Chapter XI. Representatives of this group stated that some 500,000,000 people had either achieved or were about to achieve independence in conformity with the principles of Chapter XI, while no people had yet achieved it under the trusteeship system. Many dependencies would resent transfer to the trusteeship system as a retrograde step. There was no legal obligation to make the transfer, yet if the proposed resolution were adopted, Members who failed to conform would be brought into disrepute, even if their policy served the best interests of the dependent territories in question.

Canada voted throughout with the representatives of administering powers against the resolution but did not participate in the debate.

By a resolution of the General Assembly adopted on December 14, 1946, an *ad hoc* Committee had been formed for the purpose of examining the Secretary-General's analysis of information submitted for non-self-governing territories by colonial powers in accordance with Article 73(e) of the Charter. The Committee was invited to assist the Assembly in its consideration of information of this nature during the Second Session and to make recommendations regarding procedures to be followed in the future. The *ad hoc* Committee met at Lake Success before the opening of the Second Session and drew up a report containing five draft resolutions which were subsequently referred to the Fourth Committee.

The first resolution recommended that information transmitted under Article 73(e) should be as complete and up-to-date as possible and should be arranged according to a standard form set out as an appendix to the resolution. A few minor additions to the form were made in the Fourth Committee and the resolution was carried unanimously both in Committee and in the General Assembly.

The second resolution authorized the Secretary-General to make use of official statistical information supplementary to that transmitted under Article 73 (e) of the Charter if it was available in the Secretariat and the Member concerned agreed. In the Fourth Committee a Soviet amendment was adopted which would have permitted the use of this material for purposes of comparing conditions prevailing in dependent territories with those prevailing in the territory of the metropolitan power. In the Assembly this amendment was replaced by another permitting comparisons to be made between conditions in dependent areas and conditions in sovereign territories similarly situated, where it was felt that more useful comparisons might be made.

There was prolonged discussion of the third resolution, which noted that some Members had voluntarily transmitted information, not asked for in Article 73(e) of the Charter, on the development of political institutions in their territories and added that since this



was in conformity with the spirit of Article 73 it should be duly "noted and encouraged". In the Fourth Committee an amendment was adopted which would have obliged administering powers to develop self-governing institutions in their dependencies and to transmit information on the results achieved in the political sphere. Those who opposed this move pointed out that many dependencies would bitterly resent the transmission to the United Nations of reports on their constitutional progress since they were already conscious of nationhood. At San Francisco, moreover, there had been prolonged debate on the type of information to be transmitted and the decision had been to limit it to information of an economic, social and educational nature. The omission of the word "political" had been deliberate. In the General Assembly this argument was upheld. The amendment of the Fourth Committee was rejected by 25 votes (including that of Canada) to 17 and the original resolution of the *ad hoc* Committee was then carried by 44 votes to 2 with 5 abstentions.

The fourth resolution suggested methods by which collaboration of the specialized agencies with the Secretary-General might be facilitated to ensure the fullest possible use of information concerning dependent territories. The resolution was carried unanimously both in Committee and in the Assembly.

The fifth recommendation was for the creation of a special committee to succeed the *ad hoc* Committee and to meet some weeks before the opening of regular sessions of the Assembly to examine information transmitted under Article 73(e) and to make reports on the subject to the Assembly. The Committee might make procedural recommendations or recommendations relating to functional fields generally, but it was not to make recommendations relating to individual territories. In the Fourth Committee the proposal was amended so that no restriction was placed on the kind of recommendation the special committee might make to the Assembly. The United States delegate described this as an attempt to set up for dependent territories generally a body resembling the Trusteeship Council itself—a proposal which went considerably beyond the scope of the Charter. The amendment was rejected in the Assembly by 24 to 17, Canada voting with the majority. The

Canadian delegate had suggested that in the interests of economy the special committee should meet during the next regular session rather than a minimum of two weeks earlier, but this proposal was not adopted. Members of the special committee are administering powers (Australia, Belgium, Denmark, France, Netherlands, New Zealand, United Kingdom, and the United States) and an equal number of elected members, (China, India, U.S.S.R., Egypt, Cuba, Sweden, Nicaragua and Colombia).





## **Administrative and Budgetary Questions**



### 37. UNITED NATIONS BUDGET 1947 AND 1948

The Second Session of the General Assembly adopted a proposed budget of \$34,825,195 for the year 1948 and approved supplementary estimates of \$876,568 for the year 1947. It was calculated, however, that casual revenues would accrue to the United Nations to the extent of \$325,621 during 1947, and \$761,727 in 1948. The balance to be made by contributions from Members are therefore \$550,947 and \$34,063,468 for 1947 and 1948, respectively. The following is the budget for 1947 including supplementary estimates adopted by the General Assembly and the budget for 1948 as approved:

#### FOR FINANCIAL YEAR 1947

##### PART I—UNITED NATIONS

Appropriation Section	Purpose of Appropriation	Amount
I.	For expenses of travel of representatives to the General Assembly and travel of members of Committees and Commissions .....	\$ 1,022,129
II.	For expenses of Personnel Services .....	15,954,364
III.	For expenses of contributions to the Staff Provident Fund, Provisional Staff Retirement Scheme and related benefits .....	1,435,683
IV.	For expenses of Common Services .....	6,116,223
V.	For expenses of establishment of Headquarters and initial recruitment of staff ...	2,974,915
VI.	For expenses of Advisory Social Welfare Functions .....	554,842
		<hr/> 28,058,156

##### PART II—INTERNATIONAL COURT OF JUSTICE

VII.	For expenses of the International Court of Justice .....	332,894
VIII.	For expenses of the Registry and Common Services of the International Court of Justice .....	225,518
		<hr/> 558,412
		<hr/> \$28,616,568



## FOR FINANCIAL YEAR 1948

## A. THE UNITED NATIONS

PART I—SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS,  
COMMISSIONS AND COMMITTEES

Section	Amount
1. The General Assembly and Commissions and Committees thereof .....	\$ 2,260,725
2. The Security Council and Commissions and Committees thereof .....	246,374
3. The Economic and Social Council and Commissions and Committees thereof .....	324,117
4. The Trusteeship Council and Commissions and Committees thereof .....	69,380
	<hr/>
	\$ 2,900,596

## PART II—SPECIAL CONFERENCES, INVESTIGATIONS AND ENQUIRIES

Section	Amount
5. Special Conferences .....	\$ 32,286
6. Investigations and Enquiries .....	1,112,472
	<hr/>
	\$ 1,154,758

## PART III—THE SECRETARIAT

Section	Amount
7. Executive Office of the Secretary-General .....	\$ 338,000
8. Department of Security Council Affairs .....	659,917
9. Military Staff Committee Secretariat .....	156,830
10. Department of Economic Affairs .....	1,689,159
11. Department of Social Affairs .....	1,225,555
12. Department for Trusteeship and Information from Non-Self-Governing Territories .....	741,262
13. Department of Public Information .....	3,339,915
14. Department of Legal Affairs .....	669,490
15. Conference and General Services .....	7,425,962
16. Administrative and Financial Services .....	1,529,000
17. Geneva Office .....	1,430,562
18. Information and Correspondent Centres .....	488,758
19. Overseas Recruitment Programme .....	57,736
20. Hospitality .....	20,000
21. Common Staff Costs .....	5,010,000
	<hr/>
	24,782,146

## PART IV—COMMON SERVICES

Section	Amount
22. Telephone and Postage .....	388,487
23. Rental and Maintenance of Premises .....	923,900
24. Stationery, Office Supplies, Rental and Maintenance of Office Equipment .....	233,193
25. Internal Reproduction and Printing .....	275,800
26. Maintenance and Operation of Transport .....	74,400
27. Miscellaneous Supplies and Contractual Services .....	407,518
	<hr/>
	2,303,298

## PART V—CAPITAL EXPENSES

Section	Amount
28. Office Furniture, Fixtures and Equipment ....	265,400
29. Motion Picture, Photographic, Radio Recording and Translation Equipment .....	169,500
30. Library Books and Equipment .....	129,000
31. Purchase of Motor Vehicles .....	82,000
32. Miscellaneous Capital Equipment .....	97,300
	<hr/>
	743,200

## PART VI—ECONOMIC COMMISSIONS, ADMINISTRATION OF THE FREE TERRITORY OF TRIESTE, AND ADVISORY SOCIAL WELFARE FUNCTIONS

Section	Amount
33. Economic Commissions for Europe and for Asia and the Far East .....	1,430,000
34. Administration of the Free Territory of Trieste .....	150,000
35. Advisory Social Welfare Functions .....	670,186
	<hr/>
	2,250,186
	<hr/>
	\$34,134,184

## B. INTERNATIONAL COURT OF JUSTICE

## PART VII—THE INTERNATIONAL COURT OF JUSTICE

Section	Amount
36. Salaries and Expenses of Members of the Court .....	390,943
37. Salaries, Wages and Expenses of the Registry ..	221,388
38. Common Services of the Court .....	66,604
39. Capital Expenses of the Court .....	12,076
	<hr/>
	691,011
	<hr/>
	\$34,825,195

The major changes in the 1948 budget figures adopted as compared with those originally submitted by the Secretary-General are as follows:

- (1) Part II. Special Conferences, Investigations and Inquiries.  
An increase of approximately \$1,000,000 due to the setting up of a Special Committee on the Greek Question and a Temporary Commission on Korea.
- (2) Part III. The Secretariat.  
A reduction of over \$5,200,000 made up of approximate cuts as follows:
 

(a) Department of Economic Affairs .....	\$ 260,000
(b) Department of Social Affairs .....	557,000
(c) Department of Public Information .....	900,000
(d) Conference and General Services .....	1,500,000
(e) Information and Correspondent Centres .....	367,000
(f) Common Staff Costs .....	980,000
(g) Miscellaneous .....	636,000
- (3) Part IV. Common Services.  
A reduction of \$161,000 after absorbing the increase of \$330,225 transferred from the 1947 budget.
- (4) Part V. Capital Expenses.  
A reduction of \$96,000, most of it in office furniture, fixtures and equipment.
- (5) Miscellaneous net reductions of \$121,000.

Savings made in Part I of the budget which deals with sessions of the General Assembly, the Councils, Commissions, and Committees were offset by the decision to set up an Interim Committee. Economies in the fields of conferences and general services are accounted for by the decision taken to limit written verbatim records to certain important meetings and to make distribution of some documents in mimeograph rather than printed form.

During the debate on the 1948 budget a determined effort was made by the United Kingdom to have the gross figure limited to not more than \$30,000,000. This objective was not met since it was found in the Administrative and Budgetary Committee that its achievement would have resulted in a curtailment of services which in the opinion of the Fifth Committee were essential to the proper functioning of the United Nations. Every item in the estimates was, however, subjected to close scrutiny and the figure approved was approximately \$4,500,000 less than the total of over \$39,000,000 originally submitted by the Secretary-General. As the approved



total includes several new items added during the Second Session, the actual reductions made were substantially in excess of this figure.

The Canadian delegation played an active role in the Fifth Committee which dealt with all administrative and budgetary questions. In general, Canada held the view that the Secretary-General's budgetary proposals should not be reduced by an arbitrary sum but that individual items should be carefully examined to see whether economies could be made which would not adversely affect the operation of the United Nations. The Canadian representatives were instrumental in focussing attention on a number of estimates in the proposed budget which it was possible to reduce without impairing the essential functions of the organization.

The Canadian delegation was concerned with the problem of budgetary control in the United Nations, particularly with the tendency which had become apparent to take decisions in political and other fields involving considerable expenditure without adequate information as to the financial and budgetary implications of these decisions. The Canadian representative on the Fifth Committee stated in this connection that:

"Although the imposition of an arbitrary financial limitation on projected United Nations activities is undesirable, it is acknowledged by everyone that costs must be given full consideration in arriving at policy decisions. The financial implications of each resolution must be fully considered to ensure that the resources of the organization are being economically and wisely spent. It has become apparent during the past two years that the existing U.N. machinery and procedures have not been fully effective in achieving this objective. It is important, therefore, that at this session of the Assembly steps be taken to remedy this situation."

He therefore proposed that the rule of procedure, which was designed to ensure that there should be no lapse in the financial control of the General Assembly but which in practice had not been effective, should be amended in the sense that no resolution could be recommended by any committee for approval by the General Assembly unless such committee had itself obtained an estimate of expenditures from the Secretary-General. The Canadian delegation also recommended that the Secretary-General keep all committees informed of the detailed estimated cost of all resolutions recom-

mended by any committee for the approval of the General Assembly. The views expressed by the Canadian delegation on this subject were supported by the majority of Members of the United Nations and the substance of the Canadian amendment is incorporated in the new rule of procedure.

Because of its budgetary implications, the Fifth Committee examined the programme that was submitted by the Economic and Social Council for the meetings of its various commissions and sub-commissions. A determined effort was made by several delegations, in particular those of the United Kingdom and Soviet Russia, to secure agreement to a reduction in the number of meetings of these commissions for reasons of economy. The Canadian delegation took the view that the Fifth Committee should not, in its eagerness to effect reductions in the budget, limit the meetings of the Economic and Social Council and its subsidiary bodies without close examination of the necessity and desirability of such reductions. In the absence of strong evidence to the contrary, the Canadian delegation was prepared to accept the proposals of the Economic and Social Council. In this, Canada was supported by the United States, Australia, and other delegations. Although most of the proposed reductions in meetings of the commissions of the Economic and Social Council were rejected it was agreed that the meetings of the Social Commission and the Transport and Communications Commission should be reduced from two to one in 1948.

In voting on the 1948 budget, ten members abstained. These included the U.S.S.R. and other eastern European delegations whose main objection stemmed from the inclusion of items for the establishment of an Interim Committee, of a Temporary Commission on Korea and of a Special Committee on the Greek Question. These delegations contended that these bodies were either unnecessary or contrary to the Charter and accordingly registered their disapproval by abstaining from voting on the whole budget.



38. SCALE OF CONTRIBUTIONS TO THE BUDGET

The General Assembly on December 14, 1946, adopted Resolution 69 (1) whereby it agreed:

That, notwithstanding the provisions of rule 43 of the provisional rules of procedure, the scale of assessments for the apportionment of expenses of the United Nations shall be reviewed by the Committee on Contributions in 1947 and a report submitted for the consideration of the General Assembly at the session to be held in September, 1947.

With few exceptions, which did not affect the large contributors, the Committee on Contributions recommended a scale of assessments similar to that for 1947. The United States delegation agreed to accept for one more year the allocation of 39·89 per cent in view of the present state of world economy. It reiterated, however, the conviction expressed at the First Session that in an organization of sovereign equals no single member should pay more than 33½ per cent of an administrative budget.

The recommended scale received unanimous support with the proviso that the scale be reviewed again in 1948 by the Committee on Contributions and their report submitted to the next regular session of the General Assembly.

Under the scale adopted the contributions of the seven largest contributors for 1948 are:

	Per cent
United States .....	39·89
United Kingdom .....	11·48
U.S.S.R. ....	6·34
China .....	6·00
France .....	6·00
India and Pakistan (total) .....	3·95
Canada .....	3·20

It will be noted in this connection that the Canadian contribution is more than half of that of the U.S.S.R.



### 39. UNITED NATIONS WORKING CAPITAL FUND

The purpose of this revolving fund is to finance the United Nations pending the receipt of annual contributions and to enable the Secretary-General to make advances to certain specialized agencies for financing their initial operations and to meet emergency, unforeseen and extraordinary expenditures, deemed necessary by the Councils of the United Nations for which no provision had been made in the budget of the then current year.

The fund was set up at the first meeting of the General Assembly in February, 1946, and fixed at \$25,000,000, but in December of that year it was reduced to \$20,000,000. During the 1947 session the U.S.S.R. delegation proposed reducing it still further, first to \$10,000,000, then to \$15,000,000. The majority of the Members, however, agreed that it should be retained at \$20,000,000 since experience had shown that it would be unsafe to reduce it below that figure.

Provision was made at the 1947 session for the advance of sums, not to exceed \$5,000,000, for emergency assistance in 1948 to the Free Territory of Trieste as the Security Council may approve. Replenishment of the fund for any such advances is to be according to a special operational scale, to be established at the next regular session of the General Assembly.

During the discussion of this item the Canadian delegation was concerned with the dangerous precedent which might be set if the United Nations assumed financial responsibility for the prospective balance of payments' deficit in the Free Territory. The Canadian representative suggested that the \$5,000,000 should not be authorized for purely economic reasons. However, he said, "if the Security Council, on the request of the Governor (of Trieste), deems it necessary to advance sums of money for the discharge of its duties and functions it would be quite proper to follow such a course". In part, as a result of the Canadian intervention in the debate on this

subject, the resolution as finally adopted is such as to avoid the implication that the United Nations, and particularly the Security Council, would be responsible for deficits which might be incurred in the future by new States or areas which might be set up under the responsibility of the United Nations.

## 40. REPORT OF THE BOARD OF AUDITORS FINANCIAL YEAR 1946

On December 7, 1946, the General Assembly appointed the Auditors-General of three Member States to form the Board of Auditors. One of these was Mr. Watson Sellar, Auditor-General of Canada, whose term of office expires on June 30, 1949. Mr. Sellar was chosen as chairman of the Board.

The Board's first report, covering the financial year 1946, was approved by the General Assembly on October 20, 1947. It showed a total of \$19,330,287.48 for expenditures and obligations incurred in that year.

This report was examined by the Advisory Committee on Administrative and Budgetary Questions, which took up the points raised in the report with the Secretariat.

The chairman of the Advisory Committee, in commenting on the Report of the Board of Auditors, paid a tribute to Mr. Sellar who, he said, as chairman of the Board had rendered much assistance to the Advisory Committee.



## 41. SPECIAL ITEMS INVOLVING EXPENDITURES

A few of the more important decisions of this session of the General Assembly which involve expenditures for new items are as follows:

- (a) Establishment of an Interim Committee of the General Assembly. Estimated to cost \$169,500.
- (b) Establishment of a United Nations Temporary Commission on Korea. Cost estimated at \$114,350 for 1947 and \$533,280 for 1948.
- (c) Establishment of a General Assembly Special Committee on the Greek Question. Cost estimated at \$72,840 for 1947 and \$538,600 for 1948.

The Soviet delegation which opposed the establishment of these Commissions and of the Interim Committee stated that they would not participate in any examination of the budgetary estimates for these items and would vote against the allocation of funds for these purposes. The representatives of Poland, Yugoslavia, Byelorussia, and the Ukraine associated themselves with the views of the Soviet delegation.

Another item involving increased expenditure was the decision taken to hold the 1948 regular session of the General Assembly in Europe. It was estimated that the extra cost to the United Nations of holding the next meeting in Europe, elsewhere than in Geneva, would be \$1,047,875. If held in Geneva it was estimated that the extra cost would be reduced by about \$146,000.

In plenary session the Canadian delegate abstained from voting on this question. The Canadian representative, while noting that the possibility of meeting in Europe was foreseen in the rules of procedure, considered that the additional cost, the dislocation of the Secretariat and the strain on European resources with the transfer of over 2,000 people were all factors militating against holding the 1948 meeting in Europe. However, since it was considered that Canada was an interested party because of the proximity of Ottawa to the headquarters of the United Nations, the Canadian delegate felt that he should abstain in this vote.

## 42. FINANCING OF THE HEADQUARTERS OF THE UNITED NATIONS

Having approved the general plan for the permanent headquarters of the United Nations, the Assembly (with the exception of the Netherlands) unanimously adopted a resolution authorizing the Secretary-General to negotiate and conclude an agreement with the Government of the United States, for an interest-free loan in an amount not to exceed \$65,000,000.<sup>1</sup> The loan is to be for a term of not less than thirty years, repayable in annual instalments from the ordinary budget of the United Nations. The first instalment is to be met from the budget for 1951.

In carrying out its responsibilities in connection with this loan the General Assembly established an Advisory Committee of sixteen Members, including Canada, to assist the Secretary-General.

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<sup>1</sup>The text of the agreement with the United States relative to the permanent headquarters in New York is given in Appendix V, C, pp. 250 to 260.

### 43. BUDGETARY AND FINANCIAL CO-ORDINATION WITH THE SPECIALIZED AGENCIES

The co-ordination of the work of the United Nations and of its specialized agencies was discussed at the Second Session of the Assembly and a proposal was adopted, which Canada supported, requesting Members to take measures to ensure, on the national level, a co-ordinated policy for their delegations to the United Nations and to the specialized agencies. It was considered that only if such co-ordination were achieved could there be any well-integrated approach to problems affecting more than one United Nations agency. This resolution also emphasized the necessity for avoiding overlapping and duplication of effort; and requested the specialized agencies to submit annually to the Economic and Social Council their reports on past activities and their programmes of operation for the subsequent fiscal year. Finally, the resolution asked the Specialized Agencies to transmit their budgets for 1949 and for each subsequent year to the Secretary-General of the United Nations before July 1 of the preceding year.

In the Fifth Committee, the specific question of financial co-ordination between the United Nations and its specialized agencies was studied in detail. Most of the discussion centred around the interpretation of Article 17, paragraph 3, and Articles 57 and 58 of the Charter. Article 17 (3) states:

The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Article 58 states:

The Organization shall make recommendations for the co-ordination of the policies and activities of the specialized agencies.

The Canadian representative took the position that it would be dangerous to interpret these sections of the Charter in a manner which would lead to direct interference by the United Nations in



the fields of competence of the specialized agencies. It was also the Canadian view that it would be incorrect to permit States, not members of the specialized agencies, to exercise through their membership in the United Nations an undue influence on the policies of organizations to which they did not belong. The Canadian delegation emphasized the necessity for maintaining a clear distinction between budgetary co-ordination by the United Nations and that of the co-ordination of the general policies of specialized agencies. Canada supported a proposal, which was subsequently adopted, that a comparative study should be made of the various administrative and financial systems of the United Nations and the specialized agencies to determine the most effective budgetary system. It was the Canadian position that the greatest possible uniformity in financial and administrative methods need not jeopardize the autonomy of the specialized agencies as far as policy questions were concerned.

#### 44. TAX EQUALIZATION

Considerable time was spent on the question of tax equalization with respect to the United Nations and its employees since difficulties had arisen from inequalities of taxation treatment as between various Member States and between staff members.

Members of the staff of the United Nations now have a clause in their contracts which requires the Organization to refund national income taxation to nationals of those Members which have not granted tax exemption on United Nations salaries. In this connection a resolution was adopted by the Assembly re-affirming the desirability of Members granting tax exemption, and recommending that pending such action Member States grant relief from double taxation to their nationals employed by the United Nations. It also asked the Secretary-General to omit the refund clause from all future personnel contracts, but to continue to make refunds on salaries received during the years 1946, 1947 and 1948. The Secretary-General is also requested to prepare and submit to the next regular session of the General Assembly a Staff Contributions Plan, designed to remove any criticism of the present policy of tax exemption.

A sum of \$500,000 is included in the 1948 budget for the refund of income taxation.

## 45. QUESTIONS RELATING TO THE SECRETARIAT

A matter which caused considerable discussion in the Fifth Committee was the unbalanced geographical distribution of members of the Secretariat. The Latin-American and Middle Eastern delegations emphasized their dissatisfaction with the comparative lack of representation of their nationals in the Secretariat. Colombia accordingly proposed to fix national quotas in the Secretariat on the basis of the percentage of the scale of contributions. For instance the nationals of a state which was assessed for 1.93 per cent of the budget would under this plan be entitled to 1.93 per cent of the posts in the Secretariat. This proposal was defeated by 20 votes to 19. The Canadian delegation opposed the Colombian proposal, basing its opposition on Article 101 of the Charter which provides that the paramount considerations in the employment of staff and in determining the conditions of service are to be efficiency, competence and integrity, "due regard" being paid to geographical distribution. Accordingly, Canada, together with other delegations including those of Mexico, the Argentine and the United States, submitted a proposal requesting the Secretary-General "to examine the recruitment policy that has been followed to date, with a view to improving the present geographical distribution of the posts within the various departments". This proposal emphasized the paramount considerations of efficiency, competence and integrity and was unanimously adopted by the Assembly.<sup>1</sup>

Consideration was given in the Fifth Committee to the question of the staff rules governing home leave. The regulations provide that, in addition to annual leave of thirty working days, a staff member with his wife and dependent children may be granted twelve working days of home leave (plus travelling time) every second year. His travelling costs and those of his dependents are paid by the United Nations. The Canadian delegation took the view that these rules were too liberal in comparison with similar regulations

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<sup>1</sup>The text of this resolution is given in Appendix IV, A, p. 241.



for the foreign services of most countries. The Canadian representative therefore introduced a proposal requesting the Secretary-General to amend the staff rules so that home leave would be granted in future at three-year instead of two-year intervals. This proposal was defeated by 22 votes to 15 with 4 abstentions. A similar New Zealand proposal, that home leave be granted only every thirty months' was defeated also. In opposing the Canadian proposal, several delegations, principally European, emphasized the importance of frequent home leaves in order to preserve the international character of the Secretariat.

As regards the retirement age for members of the United Nations staff, the Secretary-General proposed that the normal age for retirement should be fixed at 65 instead of 60. A number of delegations, including the Canadian, opposed this suggestion on the ground that 60 is a better average age for retirement for an international civil servant than 65. In the event, while not accepting the Secretary-General's proposal, the Assembly recognized that he could retain an employee beyond 60, subject to the present staff regulations.

The Fifth Committee concurred in the proposed new regulations submitted by the Secretary-General and by the Advisory Committee, which clarified the Secretary-General's competence in regard to the termination of the appointment of staff members employed on probation or under temporary contracts. In this connection several delegations expressed the view that the granting of permanent contracts to staff members should be accelerated since uncertainty of tenure of office would have an adverse effect on the morale of the Secretariat.

On the initiative of the Canadian delegation, the Assembly requested the Secretary-General to submit to all Members, four months before its next session, a codification of the staff rules now in force. During the Second Session, the Secretary-General had submitted a document containing references to the staff rules which he had developed. The Canadian delegation did not believe that

this document fulfilled the requirements of Staff Regulation 29 whereby the Secretary-General is required to report annually *such* staff rules and amendments.

When the Fifth Committee discussed the budget estimates, a number of criticisms were levelled at the administration of the Secretariat. In particular, many European delegations were of the opinion that the administrative practices were wasteful, over-specialized and too rigid. The Bureau of Personnel was particularly criticized for the method in which it dealt with applications for employment. It appeared that while some of these criticisms were not without basis, many of them were directly attributable to the newness of the United Nations. The consensus was that it would be premature to criticize too severely the internal administration of the Secretariat. It was considered that Mr. Byron Price, the new Assistant Secretary-General in charge of the Department of Administrative and Financial Services, who had been in office for only six months, should be given full support in developing administrative methods which would lead to greater efficiency.

## 46. INFORMATION QUESTIONS

When the activities of the Department of Public Information were discussed in the Fifth Committee, the Canadian representative stated that, in order to judge whether the United Nations information programme was adequate, a survey should be made of the degree to which national press, radio and film organizations actually use United Nations information programmes. He pointed out that only after such a survey could the Assembly judge the efficiency of the Department. Consequently he asked the Secretary-General to make such a survey and to submit a report on it at the next session. This the Secretary-General undertook to do.<sup>1</sup>

Most delegations were agreed that an information programme was required. There was some feeling, however, among the European delegations, particularly those of the United Kingdom and Belgium, that the Department of Public Information was expanding too rapidly. These delegations proposed large reductions in the budget estimates for this department. Although most of these proposals were rejected, the programme for the establishment of overseas Information and Correspondent Centres was curtailed. Thus only three new Correspondent Centres will be opened in 1948. Most delegations considered that overseas Correspondent Centres should be established in the first instance on a minimum basis and expanded only in the light of proven needs.

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<sup>1</sup>The text of this statement is given in Appendix IV, B, p. 242.



## 47. APPOINTMENTS TO SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY

*Advisory Committee on Administrative and Budgetary Questions.*—

The following three persons were appointed to serve for a period of three years beginning January 1, 1948:

M. André Ganem (France);  
Dr. Jan Papanek (Czechoslovakia);  
Mr. N. Sundaresan (India).

The function of this Committee is to examine United Nations administrative and financial questions between sessions of the Assembly and to assist the Fifth Committee during the Assembly.

*Committee on Contributions.*—The following three persons were appointed to serve for a three-year period, effective January 1, 1948:

Mr. H. Campion (United Kingdom);  
Mr. R. Asha (Syria);  
Dr. M. Z. N. Witteveen (Netherlands).

This Committee examines all economic data concerning the relative capacity to pay of individual Members and makes recommendations to the Assembly on the scale of contributions.

*The Board of Auditors.*—The Auditor-General of Colombia was appointed to replace the Auditor-General of the Ukraine on the Board of Auditors. He will serve for a three-year term beginning July 1, 1948. The function of the Board is to audit the United Nations accounts, those of the International Court of Justice and all such specialized agencies as may be designated by the appropriate authority.

*United Nations Staff Benefit Committee (alternate members).*—The following three persons were appointed as alternate members for a period of two years beginning January 1, 1948:

Mr. E. de Holte-Castello (Colombia);  
Mr. Edward A. Ghorra (Lebanon);  
Mr. J. Katz-Suchy (Poland).

The Staff Benefit Committee is charged with the administration of the Provisional Retirement Scheme. It will administer the Joint Staff Pension Scheme when it comes into force.

*Investments Committee.*—The Assembly appointed the three following prominent financial experts to advise the Secretary-General on the investments policy of the Pension Fund to be established under the Joint Staff Pension Scheme:

Mr. Jacques Rueff, Honorary Governor of the Bank of France;

Mr. Ivar Roth, Managing Director, Bank of Sweden;

Mr. Marriner S. Eccles, Chairman of the Board of Governors, Federal Reserve System of the United States.

## 48. SIMULTANEOUS INTERPRETATION

In compliance with an Assembly resolution adopted in 1946, the Secretary-General submitted to the Fifth Committee certain recommendations concerning the extent to which the simultaneous interpretation procedure should be used in the Assembly and its committees. There was general agreement on the advantages of the simultaneous system in saving time and enabling representatives who knew only one of the official languages to follow the debates more closely. It was recognized however that a continuing need exists for consecutive interpretation when a more precise and literal interpretation is required. A resolution approving simultaneous interpretation as a permanent service to be used alternatively, or in conjunction with, consecutive interpretation as the nature of the debates required, was unanimously adopted by the Assembly on November 15, 1947. The Secretary-General was also authorized to provide mobile wireless equipment for use in the Assembly and for servicing conferences which are held away from the headquarters.



## 49. THE QUESTION OF SPANISH AS A THIRD WORKING LANGUAGE

The Philippine delegation proposed the adoption of Spanish as a third "working" language in addition to English and French. This question was referred to the Advisory Committee, which estimated that the adoption of a third working language would entail an additional cost to the United Nations budget of approximately \$2,000,000 per annum. The adoption of a third working language would also raise administrative, political and legal questions of a serious nature. The Advisory Committee accordingly recommended that this subject be held over for one year and that the Secretary-General submit a report on all aspects of the problem to the next session of the Assembly. The Philippine delegate agreed to a one-year's postponement; the Advisory Committee's recommendations were unanimously adopted by the Assembly on November 15, 1947.

## 50. UNITED NATIONS POSTAL ADMINISTRATION

The delegation of Argentina introduced a proposal calling for the establishment of a United Nations Postal Administration. Under this proposal, the United Nations would issue, sell and use its own postage stamps and the resulting revenues would be a reimbursement of the Working Capital Fund. The Secretary-General noted that this scheme differed from the arrangements made for the issuance of over-printed stamps by the League of Nations. Because of the detailed administrative legal and financial implications of establishing a United Nations Postal Administration, the Secretary-General suggested that he be authorized to study this question and to report to the Third Session of the Assembly and this was agreed.

## 51. UNITED NATIONS TELECOMMUNICATIONS SYSTEM

At its First Session the General Assembly adopted a resolution approving the principle that the United Nations should have its own broadcasting facilities for communication with Members and with its branch offices, and for the transmission of United Nations radio programmes. In accordance with this resolution, the Secretary-General appointed an Advisory Committee of radio experts to assist in carrying out preliminary investigations for the establishment of such a telecommunications system. Following receipt of the report from this Advisory Committee, the Secretary-General submitted a proposal requesting authority to take all the necessary steps to negotiate for the obtaining of wave-lengths, call signs and other facilities necessary for the operation of a United Nations telecommunications system. The Assembly unanimously agreed to this proposition and the Secretary-General is to report on this subject to the Third Session.



## 52. EXPENSES OF NATIONAL REPRESENTATIVES ON UNITED NATIONS COMMISSIONS OF ENQUIRY

A question which has arisen at each session of the Assembly concerns the extent to which the travel expenses of national representatives on United Nations Commissions of Enquiry should be paid by the United Nations. In the case of the Special Committee on Palestine, provision had been made to pay the travel expenses of one representative and one alternate from each country, as well as *per diem* allowance. The same procedure was followed in regard to the Special Committee on the Greek Question and the Temporary Commission on Korea. Despite these precedents, the Belgian delegation proposed that the United Nations should pay the travel and *per diem* expenses of only one representative from each participating country. This proposal was supported by Canada and a number of other delegations. The Fifth Committee decided to refer the question of principle to the Advisory Committee on Administrative and Budgetary Questions for examination and report to the Third Session of the Assembly. In the reference to the Advisory Committee it was emphasized that existing precedents should not prejudice consideration of this issue.

## **Legal Questions**





### 53. PROGRESSIVE DEVELOPMENT AND CODIFICATION OF INTERNATIONAL LAW

In the Sixth Committee (Legal) of the Second Session of the General Assembly, five closely related subjects were considered in connection with the progressive development and codification of International Law. These were the establishment of an International Law Commission, the preparation of this Commission's work by the Secretariat, a draft declaration of the rights and duties of states, plans for the formulation of the principles of the Nuremberg Charter and Tribunal and the teaching of international law. These matters were first examined by a sub-committee of which Mr. Liu Chieh (China) was the chairman and were subsequently debated in the full Committee, which made recommendations to the General Assembly.

On November 21, 1947, the Assembly decided by a vote of 44 in favour and none against, with 6 abstentions, to establish an International Law Commission of fifteen persons to promote the development and codification principally of public international law. The Commission will operate in accordance with a statute annexed to the Assembly resolution.<sup>1</sup>

The members of this Commission selected and elected for three years in a manner analogous to those of the International Court of Justice will receive travel expenses and a *per diem* allowance on a rate comparable to those of experts of the Economic and Social Council. Each government may nominate two of its nationals and two other persons on June 1 preceding an election. The first election will take place at the Third Session of the Assembly.

There was a strong feeling among members of some delegations that the Interim Committee on Codification, which had been established at the First Session to recommend measures whereby the Assembly could discharge its obligations to promote the codification

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<sup>1</sup> The text of the statute is given in Appendix V, A, pp. 244 to 249; for a Canadian statement on this subject see Appendix V, B, p. 250.

of International Law, should be continued until the next year to prepare the work of the International Law Commission. This view prevailed in the sub-committee but was rejected by the Legal Committee. By a unanimous decision, the Assembly accordingly instructed the Secretary-General to do the necessary preparatory work, having regard to questions referred to the Commission by the Assembly, such as the draft declaration on the rights and duties of states.

On November 21, 1947, the Acting President of the Assembly, Dr. Wellington Koo, declared unanimously adopted a resolution requesting states to forward their comments on a draft declaration on the rights and duties of states which had previously been circulated. The Assembly also asked the Secretary-General to undertake the necessary preparatory work and entrusted the further study of this subject to the International Law Commission which it instructed to prepare a draft declaration "taking as a basis of discussion the draft declaration . . . presented by Panama and taking into consideration other documents and drafts on this subject".<sup>1</sup> The action of the Acting President in declaring this resolution adopted unanimously caused the representatives of the Ukraine, the U.S.S.R., Byelorussia, Poland and Yugoslavia to declare, in quick succession, that had the matter been put to a vote they would have voted against it. However, the action of the Chairman was upheld.

At its First Session, the Assembly adopted a resolution which affirmed the principles contained in the Charter of the Nuremberg Tribunal and its judgments and directed the Interim Committee on Measures for Codification to formulate plans for a general codification of offences against the peace and security of mankind.<sup>2</sup> On November 21, 1947, the Assembly (by a vote of 42 in favour and 1 against, with 8 abstentions) entrusted the formulation of these principles to the International Law Commission and asked it to prepare a draft code of offences against the peace and security of mankind. Canada voted in favour of this resolution.

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<sup>1</sup>The Panamanian draft declaration referred to is given in *The United Nations 1946*, Conference Series, 1946, No. 3, prepared by the Department of External Affairs pp. 222-4.

<sup>2</sup>See p. 140 of *The United Nations 1946*, Conference Series, 1946, No. 3, prepared by the Department of External Affairs.

In plenary session of the General Assembly, Canada abstained from voting on a proposal by Bolivia, adopted by a vote of 48 in favour and none against with 7 abstentions whereby the Assembly requested governments to extend the teaching of international law in universities and other institutions "that are under government control . . . or to initiate such teachings where it is not yet provided". It was the view of the Canadian delegation that it would be improper for it to support this resolution if by so doing it might imply that universities in Canada were under federal control. The resolution concerned a field lying directly within provincial jurisdiction in Canada.



## 54. PRIVILEGES AND IMMUNITIES OF INTERNATIONAL ORGANIZATIONS

The privileges and immunities to be accorded in connection with international organizations were considered by the Legal Committee and the General Assembly under two headings: the agreement between the United Nations and the United States concerning the permanent headquarters of the United Nations in the United States, and the co-ordination of the privileges and immunities of the United Nations with those of specialized agencies.

With respect to the permanent headquarters, the Secretary-General submitted for the approval of the General Assembly the agreement which he had negotiated and concluded with the United States in accordance with a previous decision of the Assembly.<sup>1</sup> The agreement was signed on June 26, 1947, and on August 4, 1947, Congress authorized the President of the United States to bring it into effect. The agreement was considered at length by the Legal Committee which presented a detailed report to the General Assembly. On October 31, 1947, the General Assembly unanimously endorsed the opinions contained in the report, approved the agreement and authorized the Secretary-General to bring it into force in the manner provided and to perform the functions required by it.

The agreement between the United Nations and the United States concerns primarily the permanent headquarters to be built between 42nd and 48th Streets on the East River, New York City; this area is called the "headquarters district". While the district will be under the control and authority of the United Nations, the laws of the United States, except as modified by regulations made by the United Nations, will prevail in the district. The district is to be inviolable, however, and the United Nations will enjoy the necessary facilities for its operations, including facilities for communication, transit and police protection. The agreement provides

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<sup>1</sup> The text of this agreement is given in Appendix V, C, pp. 250 to 260.

that any person who has abused the privileges of residence, whether a representative of a Member or an official of the United Nations or of a specialized agency, may be subject to the laws and regulations of the United States regarding the continued residence of aliens. The privileges and immunities of resident representatives of Members of the United Nations and of specialized agencies have been defined further. The agreement is complementary to the General Convention on privileges and immunities of the United Nations and it provides for the conclusion of supplementary agreements concerning amongst other things the temporary headquarters at Flushing and Lake Success.

The Legal Committee also considered at length the co-ordination of the privileges and immunities of the United Nations and those of specialized agencies brought into relation with the United Nations. It decided to draft a convention, the main or "standard" clauses of which are patterned largely on the General Convention on the Privileges and Immunities of the United Nations.<sup>1</sup> To it was added an annex for each of the nine specialized agencies. These annexes modify to a certain extent some of the privileges and immunities enumerated in the "standard" clauses. The General Assembly, at its meeting of November 21, 1947, approved the draft convention by a vote of 45 for, including Canada, and none against, with 5 abstentions, and proposed it for acceptance by the specialized agencies and for accession by Members of the United Nations and other states, members of the agencies. The Assembly further recommended that constitutions of future specialized agencies should not contain detailed provisions for privileges and immunities but that these should be settled in accordance with the proposed convention. Finally the Assembly recommended that its members should immediately accord, as far as possible, pending accession to the convention, the benefit of these privileges and immunities with respect to specialized agencies.

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<sup>1</sup>The text of this General Convention is given in *Report of the First Part of the First Session of the General Assembly of the United Nations*, Department of External Affairs, Conference Series, 1946, No. 1, pp. 79-85.



## 55. THE CRIME OF GENOCIDE

The resolution covering genocide adopted by the General Assembly on December 11, 1946, recites that genocide is a denial of the right of existence of entire human groups, similar to homicide for the individual. The Assembly affirmed that it was an international crime for which all responsible for its perpetration are punishable.<sup>1</sup> The resolution invited Member States to enact the necessary legislation and requested the Economic and Social Council to undertake studies with a view to submitting a draft convention on genocide to the Second Session of the Assembly.

A draft convention was accordingly submitted by the Council to the Assembly with a request for further instructions.

The Legal Committee considered what measures could best be taken in connection with the convention on genocide. Some delegations stressed the sociological aspects of the study and the political nature of the problem. Other delegations, emphasizing the legal nature of the work, suggested that the convention be referred to the International Law Commission. On November 21, 1947, the Assembly noted that many governments had not submitted observations on the draft convention and requested the Economic and Social Council to continue its work, taking into account that the International Law Commission has been charged with the formulation of the principles of the Charter of the Nuremberg Tribunal as well as the preparation of a draft code of offences against peace and security. The Assembly informed the Council it need not await the observation of all Members before commencing its work and requested the Council to submit a report and the convention at the Third Session of Assembly.<sup>2</sup> Canada supported this resolution which was adopted by the Assembly by 38 in favour and none against with 14 abstentions.

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<sup>1</sup> The text of this resolution is given on p. 268 of *The United Nations, 1946*, Conference series, 1946, No. 3 prepared by the Department of External Affairs.

<sup>2</sup> The text of this resolution is given in Appendix V, D, p. 260.



## 56. NEED FOR GREATER USE OF THE INTERNATIONAL COURT OF JUSTICE

The question of the need for greater use of the International Court of Justice was placed on the agenda of the General Assembly on the initiative of Australia. It was stated that the Court was the only organ of the United Nations which had not then been used and this was attributed, by the Australian representative, to an indifference toward the legal aspects of situations and toward the Court as a means of peaceful adjustment of these situations. In the Legal Committee some delegations, notably those from eastern Europe, insisted that the main problems facing the United Nations were of a political nature and that it would be improper to seek legal solutions to them through the Court. The majority of the representatives, however, expressed agreement with the views of the Australian delegate.

On November 14, 1947, the Assembly adopted three resolutions.<sup>1</sup> The first, based on the Australian proposals, recommended that United Nations organs and specialized agencies should review, from time to time, the "difficult and important points of law" which arise in the course of their activities, including the interpretation of the Charter and the constitutions of agencies, and to request advisory opinions of the Court, if so authorized. The second resolution authorized the Trusteeship Council to request advisory opinions of the Court. The third resolution, based on a Franco-Iranian proposal, drew attention to the desirability of accepting the compulsory jurisdiction of the Court and of inserting arbitration clauses in treaties, for the submission to the Court of disputes arising from the interpretation of such treaties. It also recommended that States should, as a general rule, submit their legal disputes to the Court.

The second resolution was adopted in the Assembly on November 14, 1947, by a vote of 54 in favour and none against and the first

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<sup>1</sup> The text of these resolutions is given in Appendix V, E, p. 261.

and third resolutions were adopted by votes of 45 in favour and 6 against. The main objection stated to the first resolution was that the Court was not competent to interpret the Charter. In support of this thesis the U.S.S.R. delegation based its argument on the reports of the San Francisco Conference. On the basis of these same documents, however, other delegates, including the Canadian representative, spoke in support of the contrary thesis, which was accepted by the Assembly.<sup>1</sup>

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<sup>1</sup> The text of the statement by the Canadian representative is given in Appendix V, F, p. 263.

## 57. SURRENDER OF WAR CRIMINALS

On February 13, 1946, the Assembly recommended that Member States take necessary measures to arrest war criminals and to send them back for trial and punishment to the countries where they perpetrated the deeds of which they were accused.

At the Assembly session of 1947, Yugoslavia requested the insertion in the agenda of an item concerning the "recommendations to be made to ensure the surrender of war criminals, traitors and quislings" and it presented a draft resolution on the subject. The draft resolution considered the "factual state" of affairs in the light of the Assembly's resolution of February 13, 1946, regretted that certain governments were not carrying out this resolution and, in the most vigorous terms, "called upon" all Member States, and states applying for United Nations membership, to hand over war criminals and to conclude bilateral agreements to this effect and to live up to these agreements.

When the subject was discussed in the Legal Committee, the Yugoslav, Soviet, Ukrainian, Byelorussian, and Polish delegations cited a number of instances where war criminals were alleged to have been protected by the United Kingdom, the United States, France and Italy. The debate, far from being juridical, consisted mainly of accusations and denials between these two groups of states. In the event, the Legal Committee, and subsequently the Assembly, refused to judge the allegations and on October 31, 1947, the Assembly adopted, by a vote of 42 in favour and 7 against, what had originally been a United Kingdom proposal. By this resolution the Assembly reaffirmed its resolution of February 13, 1946, on war criminals and recommended that Members continue with "unabated energy" to carry out their responsibilities in this respect. The Assembly also recommended to those Members seeking the surrender of alleged war criminals that they request their surrender as soon as possible and support their request with "sufficient evidence to establish that a reasonable *prima facie* case exists as to identity and guilt".<sup>1</sup>

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<sup>1</sup>The full text of this resolution is given in Appendix V, G, p. 264.



## 58. THE REGISTRATION AND PUBLICATION OF TREATIES

On December 14, 1946, the General Assembly adopted regulations in connection with the Secretariat's duty, under Article 102 of the Charter, to register and publish treaties and international agreements.<sup>1</sup> At this session the Secretary-General reported that up to September 30, 1947, 408 treaties had been received for registration or filing and recording, of which 113 had been registered, 44 filed and recorded while the balance were still the subject of correspondence between the governments concerned. The Assembly noted this report on November 14, 1947, and drew the attention of Members to the obligations imposed by Article 102 of the Charter.

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<sup>1</sup>See pp. 269-273 of *The United Nations 1946*, Conference series, 1946, No. 3, prepared by the Department of External Affairs.

## 59. RULES OF PROCEDURE

When the Canadian Government requested, at the second part of the First Session of the Assembly, the inclusion of an item entitled "Measures to economize the time of the General Assembly" it emphasized the importance of reforming the Assembly's rules of procedure. The Assembly subsequently established a Committee on Procedures and Organization which was instructed to meet two weeks before the opening of the Second Session to discuss the possibility of improving the existing rules.<sup>1</sup>

On September 8, 1947, this Committee on Procedures met and elected Mr. Escott Reid (Canada) as its chairman. The Committee, after 15 meetings, presented its report for consideration by the Assembly.<sup>2</sup> The Assembly referred part three of the report, except Chapters VII, IX, and X of the Rules of Procedure (which were referred to the Administrative and Budgetary Committee) to the Legal Committee for report in sufficient time for the full consideration by the Assembly before adjournment. The Legal Committee then formed a sub-committee of eleven members, including Canada, to review the Rules of Procedure referred to it and to review those referred to the Administrative Committee in order to ensure consistency. It was principally on the initiative of the United Kingdom delegation that a number of further improvements were made to the Rules of Procedure, particularly in respect to their order, the preparation of a more complete table of contents and marginal notes to the rules. On November 17, 1947, the Assembly approved and adopted the Rules of Procedure, declaring that they would come into force on January 1, 1948. The Assembly also invited the Secretary-General to prepare in consultation with the Economic and Social Council, draft rules for the calling of international conferences for consideration at the Assembly's Third Session.

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<sup>1</sup>See pp. 159 to 161 of *The United Nations, 1946*, Conference series, 1946, No. 3, prepared by the Department of External Affairs.

<sup>2</sup>The text of the statement by the Chairman of the Committee, Mr. Reid, is given in Appendix V, H, pp. 265 to 268.

The principal changes in the Rules of Procedure embody a clarification of the three methods of placing items on the agenda; the election of vice-presidents of the Assembly after committee chairmen have been elected; the right of the chair to declare the closure of the list of speakers; the order in which motions or proposals shall be put to vote; the definition of amendments; the reconsideration of proposals adopted at a session; the definition of the phrase "members present and voting"; the method of carrying out a roll-call vote; the authority of the president and of committee chairmen over meetings; the clarification of the term of office of members of the Trusteeship Council, and the elucidation of rules concerning the committees. The rules concerning the admission of members were unchanged, as were those concerning languages and interpretation.

The Legal Committee rejected a Norwegian proposal for a nominations committee whose task would be to present to the Assembly lists of competent persons to fulfil the offices of committee chairmen, vice-chairmen and rapporteurs. It also rejected four provisions which would have limited the right of voting on parts of proposals separately and of requesting roll-call votes, by making such decisions subject to the approval of two-thirds of the members present and voting.



## 60. UNITED NATIONS FLAG AND UNITED NATIONS DAY

During the Second Session of the General Assembly proposals concerning the United Nations Flag and United Nations Day were referred to the Legal Committee which reported unanimously to the General Assembly on the flag problem but was unable to reach agreement as to whether the United Nations Day ought to be held on June 26, the date of the signature of the Charter, or on October 24, the date the Charter came into force.

The Assembly adopted, as the United Nations Flag, the official United Nations emblem, a circular projection of the world area, centred on a light blue background. It directed the Secretary-General to draw up regulations concerning the dimensions and proportions of the flag and authorized him

“to adopt a flag code, having in mind the desirability of a regulated use of the flag and the protection of its dignity”.

As regards United Nations Day, the proposals of the Secretary-General, referred to the Legal Committee, were to commemorate both a United Nations “Charter Day” (June 26) and a United Nations “Peace Day” (October 24). The Assembly, however, accepted unanimously the recommendation of the Legal Committee which proposed that October 24 should be known as United Nations Day, during which a particular effort should be made to inform the peoples of the world of the aims and achievements of the United Nations. The Assembly also invited its Members to co-operate with the United Nations in securing observance of this anniversary.



## **Appendices**





## APPENDIX I

### A. Text of Address given in Ottawa by the Chairman of the Canadian Delegation to the Second Session of the General Assembly of the United Nations, September 12, 1947

...There is one further evidence of the seriousness with which we view our obligations under the United Nations that I should like to make known to you. This is the fact that we intend, at the forthcoming session of the Assembly, to stand as a candidate for membership on the Security Council. Some comment about this possibility has already been made in Canada, but the Government has not previously made known its intentions in this respect formally and publicly. I think it appropriate that I should do so now in the presence of this group of Canadian citizens, and I know that this is once in my life, at least, when I can announce an election campaign and be confident of the good wishes of every person present. We have already informed other members of the United Nations of our candidacy for membership on the Security Council. We have not asked any state to pledge its vote to us, because it is not the policy of the Canadian Government either to seek or to give pledges of this nature. We have, however, asked that sympathetic consideration be given to our candidature and that our qualifications be judged on our record. I may say that the response has been most gratifying.

This decision in respect of the Security Council has been made only after the most careful consideration. We realize, in the first place, that if we are elected the people of Canada will be confronted with new and onerous responsibilities. We realize also that we shall have the weaknesses and difficulties from which the United Nations suffers brought home to us in an urgent and direct manner that will test to the utmost our confidence in that organization. I am sure that the members of this organization are sufficiently familiar with the activities of the United Nations to understand the heavy responsibilities which we are offering to assume. We shall have to increase our delegation in New York, and this will be an added burden on a Department of Government which is already carrying a heavy load. We shall have, at the same time, to maintain at full strength the facilities in Ottawa and elsewhere through which we shall inform our delegation in New York concerning the problems which are on the agenda of the Security Council. Most important of all, we shall be forced, as never before in Canada in times of peace, to make decisions on major questions of policy arising from situations which exist far from our shores and which some may feel do not directly affect us.

Our faith in the organization will also be tested by the practical experience which we will have of the frailties of the United Nations. I know of no more frustrating experience, either for an individual or a nation,



than to be engaged in an enterprise which is not prospering. We should indeed be misrepresenting the situation if we did not make clear our realization that we are standing for membership on a body with a discouraging record. We must not delude either ourselves or anyone else about the fact that membership on the Security Council will embody greater risks and responsibilities and fewer rewards and honours than it seemed to offer two years ago when Canada withdrew its candidacy in the original elections, in order to enable Australia to be elected without further contest.

The Security Council was established in the hope that it would provide means to dissolve threats to the peace through that gradual process of negotiation and discussion which is at the heart of the democratic process. It was founded in the faith that there is no problem in human relations which it is beyond the power of human ingenuity and intelligence to solve. It was also established in the belief that the nations which constituted it would be able and ready to judge world problems, not only in the light of their own national interests but in terms of the welfare of the world community.

It is a great disappointment to us all that the organization has fallen so far short of realizing these expectations. The Security Council has become a forum in which the issues of world politics have been subjected to public debate. It has so far failed to provide a conference table at which reconciliation might be achieved through compromise. There has been little evidence of sincere desire to reach agreed solutions. All too frequently, on the other hand, there has been the continual restatement in uncompromising terms of inflexible positions. The misuse of the veto, which we all so much regret, has been a disturbing symptom of the failure to reach agreed solutions on any of the major problems brought before the United Nations.

I would not like to suggest that, in seeking membership on the Security Council, we feel ourselves in a position to provide the remedy for these difficulties. The remedy can only lie in the attitude of the Permanent Members of the Council. There is no form of words, nor method of procedure which will be proof against the determination of any state to misuse its position as a Member of the Council. The Security Council is essentially a democratic political device. It is basic in democratic practice that no member of a democratic community shall so use his privileges that the system by which his community is governed is weakened or discredited. In a true democracy there is no end which justifies a means that brings into contempt the instrument of government. It is only by the practice of these restraints that the Security Council can be redeemed.

We have, of course, our own ideas about the ways in which the operations of the United Nations could be improved and we shall make these views known, wherever and whenever it is possible, in our contacts with that organization. In this respect, I think our record is particularly good. From the very inception of the United Nations, Canadian delegations have advocated methods of procedure which would simplify and expedite its work. We shall continue to make these views known and to press for the improvements in organization which we think would be beneficial. We have views, also, about constitutional problems such as the veto. We realize that this provision of the Charter was a necessary expedient for resolving, on a temporary basis at least, the basic problem of voting procedure in a world of unequal powers. We shall never be



reconciled, however, to a permanent situation in which a distinction is made between five nations of the world which are defined as **Great Powers** and all other nations, which, despite the great differences amongst them, are placed together in a less privileged position. The solution of this problem will not be easy, and I do not think that any simple constitutional amendment nor any mere reform in procedure will solve it. Our difficulties will be removed only by the establishment, over a period of time, of precedents and practices which will lead to a modification of the veto power. We are fully conscious, therefore, that if we are elected to the Security Council, our influence on that body will be limited by the superior voting powers which are enjoyed by some members of that body.

You may well ask, therefore, why the Government, in the presence of these difficulties, has decided to make known its readiness to serve on the Security Council. We shall become involved directly with questions such as the Balkan dispute and the Indonesian problem which do not now come immediately before our attention. We shall be endeavouring to find solutions to problems which are complicated by the unresolved differences amongst the Great Powers and we shall be taking part in the activities of a body which the world knows to be far from perfect. Why should we state our willingness to serve?

To my mind there is only one answer to this question. In spite of its shortcomings, we in this country continue to believe that the best hope for mankind lies in the establishment of a world organization for the maintenance of peace. We ourselves in this country have built a nation which is as wide as the continent and which is based on the consent of many diversified groups. There is no reason to believe that our experience here and the experience of other peoples who have built political organizations over wide areas cannot be repeated amongst the nations. We believe that, particularly for a people such as our own which wishes to maintain its freedom and to leave other people in the enjoyment of theirs, the greatest hope for our survival lies in the development of machinery for international cooperation.

If we wish to enjoy the benefits of such a development we must also accept its responsibilities. We must even be prepared to accept these responsibilities at a time when the going is hard and when the future is by no means certain. I do not think that the people of this country would tolerate any other attitude on the part of its representatives to the United Nations. I am certain that we carry the support of every thoughtful Canadian in our determination to make every effort towards the success of this new experiment in international organization. I have already made a statement to this general effect in Parliament during the debate on the estimates of the Department of External Affairs on July 4th last, and I should like to repeat now what I said at that time, because it seemed to meet with approval from all parts of the House:

It has been hoped, and indeed it is still hoped, at least as far as I am concerned, that the United Nations can be the agency to counteract these dividing forces, that it can act as an organization of civilized states within which universal and friendly co-operation will become possible and should be realized. It is because it still thinks that this can be done that the Canadian Government feels that the growth and strengthening of the United Nations must be a real cornerstone of Canada's policy in foreign affairs. It would be folly to disparage

the organization merely because it has not, in its short history, already accomplished all that we hoped for from it. The weaknesses which have been displayed make it all the more necessary that support for it be strong and steadfast with a view to removing those weaknesses. At the same time we must not complacently allow any one state or group of states to use the United Nations for their own selfish national or propagandist purposes. It must be a forum for the expression of the collective will of all peoples and not a sounding board for false and misleading propaganda.

I conclude, then, on a note of reserved optimism. We in Canada, regard our membership in the United Nations not as a temporary expedient but as a permanent partnership. At the same time, we are conscious of the effort which must be made to offset the danger in which this partnership lies.

## B. Statement by the Chairman of the Canadian Delegation in the Opening Debate, in the General Assembly, September 18, 1947

A Canadian statement in the general discussion at the opening of the Assembly should, I think, give an account of our stewardship as a Member of the United Nations, and our view whether the organization is fulfilling the high purposes and noble ideals which inspired its creation.

As to the former, Canada has endeavoured to discharge both its formal and implied obligations as a Member State. Our Parliament has passed legislation necessary for this purpose, including an appropriation of twenty millions of dollars for post-UNRRA international relief. We have also carried out our duty in implementing a resolution of the Assembly which was passed by a substantial majority and was in accord with the Charter, even though we opposed it unsuccessfully when it was introduced.

We do not, of course, feel that we are entitled to any particular credit for the discharge of obligations which we have undertaken, by signing the Charter of the United Nations. I hope that we, and all others, take these obligations seriously. The proof of this, however, in our case, and in the case of other Members, will be found in deeds, not words. So nothing more need be said on this point.

The Canadian people also believed that in signing the Charter, they, and all other Member States, accepted an obligation to reconcile views and policies concerning national welfare with those concerning the needs of mankind as a whole. In the light of recent developments, it is perhaps not superfluous to reassert this obligation. It is a mandate to guide ourselves by the principle that in the long run each nation can benefit most from those measures which benefit all nations. It is a commitment constantly to scrutinize our domestic and external policies on the national level so that we may be certain of bringing them into harmony with the high purposes to which this organization is dedicated.

My second purpose in speaking is to give you, in a few words, the view of my Government on the present position of our world organization. There is a growing feeling in my country, as in other countries, that the



United Nations, because of the experience of the Security Council, is not showing itself equal to the discharge of its primary task of promoting international confidence and ensuring national security. The Economic and Social Council is functioning fairly successfully. The specialist organizations are doing good work. But the Security Council, founded on what is called the unanimity of its permanent members, has done little to strengthen the hopes of those who saw in it the keystone of the structure of peace. It has done much to deepen the fears of those who felt that, with the veto, it could not operate effectively in an international atmosphere of fear and suspicion, where pride is often allowed to take precedence over peace and power over reason.

This veto privilege, attacked and defended with equal vigour, if it continues to be abused, may well destroy the United Nations, because it will destroy confidence in the ability of the Security Council to act internationally, to act effectively, and to act in time. There is no point in deceiving ourselves. Our peoples cannot be expected to accept indefinitely and without alteration, voting procedures and practices which, in the name of unanimity, underline disunity; and which reduce agreement to a lowest common denominator of action that in practice often means inaction. For this reason, the Canadian delegation warmly supports the United States suggestions concerning voting procedure in the Security Council.

Our delegation also supports the United States proposal designed to extend the usefulness of the Assembly. We think that its acceptance would infuse new life and vigour into our whole organization.

In the concentration of attention on the vital role of the Security Council, it should not be forgotten that the Assembly, or a continuing committee of the Assembly, can do many of the things for which the Security Council was intended to take primary responsibility. It can discuss a dispute or situation at open meetings and at small private committee meetings. It can investigate by calling witnesses and by sending out commissions of enquiry. It can publish the findings of its committees as soon as the Security Council ceases to deal with a dispute or situation. The General Assembly can make recommendations and can send these recommendations to the Security Council or to the nations concerned, or to both. The Canadian delegation sees no reason, therefore, why these functions of the Assembly should not be put to greater use for the solution of problems when they are not being solved elsewhere.

The fact remains, however, that these problems must be solved, and that procedures and practices which obstruct such solutions must be changed. This can be done by the voluntary abandonment of these practices; by agreed conventions or understandings which will regulate them; or, if necessary, by amendments to the Charter. We hope that no member of the Security Council will flout clearly expressed world opinion by obstinately preventing change, and thus become responsible for prejudicing, and possibly destroying, the organization which is now man's greatest hope for the future.

Nations, in their search for peace and co-operation, will not, and cannot, accept indefinitely an unaltered Council which was set up to ensure their security, and which, so many feel, has become frozen in futility and divided by dissension. If forced, they may seek greater safety in an association of democratic and peace-loving states willing to accept more specific international obligations in return for a greater measure of national security.



Such associations, it has already been pointed out, if consistent with the principles and purposes of the Charter, can be formed within the United Nations. It is to be hoped that such a development will not be necessary. If it is unnecessary, it will be most undesirable. If, however, it is made necessary, it will have to take place. Let us not forget that the provisions of the Charter are a floor under, rather than a ceiling over, the responsibilities of Member States. If some prefer to go even below that floor, others need not be prevented from moving upwards.

Two, or more, apartments in the structure of peace are undoubtedly less desirable than one family of nations dwelling together in amity, undivided by curtains or even more substantial pieces of political furniture. They are, however, to be preferred to the alternative of wholly separate structures.

This, you may say, is defeatism of the worst kind. It is not. It is merely sober realism. It would be folly to deny that certain events of the last twelve months have weakened the position of our organization. It would be folly not to admit that a continuation of this trend may cause it ultimately to collapse.

Our delegation, our Government, and our Canadian people are determined to do everything they can to prevent this tragic development. Our faith and hope still shine, though now through an overcast of anxiety. The work of this Assembly, to which we pledge our contribution, will, we trust, remove that anxiety, justify that faith, and heighten that hope.

## C. Canadian Statement, October 10, 1947

### COMPOSITION OF THE SPECIAL COMMITTEE FOR GREECE

The statements regrettably made in this Committee yesterday by the representatives of the Union of Soviet Socialist Republics and certain other governments indicating that they would neither participate in the establishment of the Special Committee nor co-operate with it after it has been established, make it all the more important to reflect carefully before we decide upon the composition of this Committee.

Now that we have agreed by a large majority to establish this Committee for the purpose of endeavouring to apply procedures of conciliation to the explosive situation which exists on the northern borders of Greece, and to supervise and facilitate the implementation of the resolution of the General Assembly, we must not be diverted from our purpose.

It was suggested yesterday in this Committee that our purpose might best be served by the exclusion of all permanent members of the Security Council from the Special Committee.

In this connection, a parallel was drawn between this Special Committee and the Committee which was sent by the General Assembly to Palestine to investigate and recommend solutions of the Palestine problem.

Surely we have now reached a point in the Greek case, in which it is not further investigation that is required, but action, urgent action, to conciliate and bring about adjustment in the relations between Greece and her northern neighbours.

In the present situation, which involves the maintenance of international peace and security, the permanent members of the Security Council bear a primary and special responsibility in trying to find a solution.

The representative of the United States said that "The United States was motivated by the desire to press as far as possible for conciliation among the permanent members".

The significant statement in our view is sufficient ground for asking that all the permanent members that are willing to serve should be members of this Special Committee and that the door should be left open to that permanent member which has expressed its intention not to co-operate in this effort, to serve as a member of the Committee as well.

Another important factor which must be taken into account is that if this Special Committee is to be effective, it must have real prestige and authority and its composition must be such as to assure that this is the case. One cannot read Paragraphs 5 and 6 of the resolution without realizing how desirable it is that the Great Powers be represented on this Committee. Under Paragraph 5, Greece and her northern neighbours are called upon to carry out certain specific measures of co-operation in the settlement of their disputes and under Paragraph 6, the Special Committee is set up not wholly and not mainly to observe and report whether they do or not, but mainly to assist them in doing so. The Committee will have grave and high responsibilities. It may even recommend that a special session of the United Nations be convoked to deal with the situation, should it further deteriorate.

I would therefore urge that this Committee, after reflection, might accept as a basis for the composition of the Committee the view expressed by the United States.

Specifically my proposal is that the Special Committee shall consist of representatives of Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom and the United States, seats being held open for Poland and the U.S.S.R.

## D. Resolution of the Assembly, October 21, 1947

### THREATS TO THE POLITICAL INDEPENDENCE AND TERRITORIAL INTEGRITY OF GREECE

1. *Whereas* the peoples of the United Nations have expressed in the Charter of the United Nations their determination to practise tolerance and to live together in peace with one another as good neighbours and to unite their strength to maintain international peace and security; and to that end the Members of the United Nations have obligated themselves to carry out the purposes and principles of the Charter,

#### 2. *The General Assembly of the United Nations,*

*Having considered* the record of the Security Council proceedings in connection with the complaint of the Greek Government of December 3, 1946, including the report submitted by the Commission of Investigation established by the Security Council resolution of December 19, 1946 and information supplied by the Subsidiary Group of the Commission of Investigation subsequent to the report of the Commission;



3. *Taking account* of the report of the Commission of Investigation which found by a majority vote that Albania, Bulgaria and Yugoslavia had given assistance and support to the guerrillas fighting against the Greek Government;

4. *Calls upon* Albania, Bulgaria and Yugoslavia to do nothing which could furnish aid and assistance to the said guerrillas;

5. *Calls upon* Albania, Bulgaria and Yugoslavia on the one hand and Greece on the other to co-operate in the settlement of their disputes by peaceful means, and to that end recommends:

(1) That they establish normal diplomatic and good neighbourly relations among themselves as soon as possible;

(2) That they establish frontier conventions providing for effective machinery for the regulation and control of their common frontiers and for the pacific settlement of frontier incidents and disputes;

(3) That they co-operate in the settlement of the problems arising out of the presence of refugees in the four States concerned through voluntary repatriation wherever possible and that they take effective measures to prevent the participation of such refugees in political or military activity;

(4) That they study the practicability of concluding agreements for the voluntary transfer of minorities;

6. *Establishes* a Special Committee:

(1) To observe the compliance by the four Governments concerned with the foregoing recommendations;

(2) To be available to assist the four Governments concerned in the implementation of such recommendations;

7. *Recommends* that the four Governments concerned co-operate with the Special Committee in enabling it to carry out these functions;

8. *Authorizes* the Special Committee, if in its opinion further consideration of the subject matter of this resolution by the General Assembly prior to its next regular session is necessary for the maintenance of international peace and security, to recommend to the Members of the United Nations that a special session of the General Assembly be convoked as a matter of urgency;

9. *Decides* that the Special Committee

(1) *Shall consist* of representatives of Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom and the United States of America, seats being held open for Poland and the Union of Soviet Socialist Republics;

(2) *Shall have* its principal headquarters in Salonika and with the co-operation of the four Governments concerned shall perform its functions in such places and in the territories of the four States concerned as it may deem appropriate;

(3) *Shall render* a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject matter of this resolution, and shall render such



interim reports as it may deem appropriate to the Secretary-General for transmission to the Members of the Organization; in any reports to the General Assembly the Special Committee may make such recommendations to the General Assembly as it deems fit;

(4) *Shall determine* its own procedure, and may establish such sub-committees as it deems necessary;

(5) *Shall commence* its work within thirty days after the final decision of the General Assembly on this resolution, and shall remain in existence pending a new decision of the General Assembly.

#### 10. *The General Assembly*

*Requests* the Secretary-General to assign to the Special Committee staff adequate to enable it to perform its duties, and to enter into a standing arrangement with each of the four Governments concerned to assure the Special Committee, so far as it may find it necessary to exercise its functions within their territories, of full freedom of movement and all necessary facilities for the performance of its functions.

### E. United States Amendment to Draft Resolution of Union of Soviet Socialist Republics, October 29, 1947

#### THE PROBLEM OF THE INDEPENDENCE OF KOREA

Inasmuch as the Korean question which is before the General Assembly is primarily a matter for the Korean people itself and concerns its freedom and independence, and recognizing that this question cannot be correctly and fairly resolved without the participation of representatives of the indigenous population.

The First Committee recommends that: elected representatives of the Korean people from northern and southern Korea *be invited* to take part in the consideration of the question.

Further recommends that in order to facilitate and expedite such participation and to insure that the Korean representatives will in fact be duly elected by the Korean people and not mere appointees from military authorities in Korea, there be forthwith established a United Nations Temporary Commission on Korea, to be present in Korea with right to travel, observe and consult throughout Korea.

### F. Resolution of the Assembly, November 14, 1947

#### THE PROBLEM OF THE INDEPENDENCE OF KOREA

##### I

*Inasmuch* as the Korean question which is before the General Assembly is primarily a matter for the Korean people itself and concerns its freedom and independence, and

*Recognizing* that this question cannot be correctly and fairly resolved without the participation of representatives of the indigenous population;

*The General Assembly,*

1. *Resolves* that elected representatives of the Korean people be invited to take part in the consideration of the question;

2. *Further resolves* that in order to facilitate and expedite such participation and to observe that the Korean representatives are in fact duly elected by the Korean people and not mere appointees by military authorities in Korea, there be forthwith established a United Nations Temporary Commission on Korea, to be present in Korea, with right to travel, observe and consult throughout Korea.

II

*The General Assembly,*

*Recognizing* the urgent and rightful claims to independence of the people of Korea;

*Believing* that the national independence of Korea should be re-established and all occupying forces then withdrawn at the earliest practicable date;

*Recalling* its previous conclusion that the freedom and independence of the Korean people cannot be correctly or fairly resolved without the participation of representatives of the Korean people, and its decision to establish a United Nations Temporary Commission on Korea (hereinafter called the "Commission") for the purpose of facilitating and expediting such participation by elected representatives of the Korean people:

1. *Decides* that the Commission shall consist of representatives of Australia, Canada, China, El Salvador, France, India, Philippines, Syria, Ukrainian Soviet Socialist Republic;

2. *Recommends* that the elections be held not later than 31 March 1948 on the basis of adult suffrage and by secret ballot to choose representatives with whom the Commission may consult regarding the prompt attainment of the freedom and independence of the Korean people and which representatives, constituting a National Assembly, may establish a National Government of Korea. The number of representatives from each voting area or zone should be proportionate to the population, and the elections should be under the observation of the Commission;

3. *Further recommends* that as soon as possible after the elections, the National Assembly should convene and form a National Government and notify the Commission of its formation;

4. *Further recommends* that immediately upon the establishment of a National Government, that Government should, in consultation with the Commission: (a) constitute its own national security forces and dissolve all military or semi-military formations not included therein; (b) take over the functions of government from the military commands and civilian authorities of north and south Korea, and (c) arrange with the occupying Powers for the complete withdrawal from Korea of their armed forces as early as practicable and if possible within ninety days;



5. *Resolves* that the Commission shall facilitate and expedite the fulfilment of the foregoing programme for the attainment of the national independence of Korea and withdrawal of occupying forces, taking into account its observations and consultations in Korea. The Commission shall report, with its conclusions, to the General Assembly and may consult with the Interim Committee (if one be established) with respect to the application of this resolution in the light of developments;

6. *Calls upon* the Member States concerned to afford every assistance and facility to the Commission in the fulfilment of its responsibilities;

7. *Calls upon* all Members of the United Nations to refrain from interfering in the affairs of the Korean people during the interim period preparatory to the establishment of Korean independence, except in pursuance of the decisions of the General Assembly; and thereafter, to refrain completely from any and all acts derogatory to the independence and sovereignty of Korea.

## G. Joint Resolution Proposed by Belgium, Brazil and Denmark, November 14, 1947

### TREATMENT OF INDIANS IN SOUTH AFRICA

*The General Assembly,*

*Considering* the reports submitted by the Governments of India and of the Union of South Africa following the resolution of the General Assembly of December 8, 1946, which drew their attention to the desirability of their reaching an agreement;

*Considering* that, according to the opinion expressed by the said resolution, the treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments and the relevant provisions of the Charter; that, in consequence, it is above all necessary to determine the rights and obligations of the two States; that, according to the Charter and to the Statute of the International Court of Justice, the Court is particularly designed to deal with such questions;

*Expresses* the wish that the parties should continue their efforts with a view to reaching an agreement directly settling their dispute, and that, should they fail to reach such an agreement, they should submit the dispute to the International Court of Justice.

## H. Canadian Statement, November 17, 1947

### TREATMENT OF INDIANS IN SOUTH AFRICA

Mr. Chairman, while our delegation has refrained from giving advice to either country whose dispute is now under consideration, this is not because our delegation is lacking in views on how the dispute might be settled. Our principal concern is that these two countries, with which Canada has special ties of association and friendship, should break the



deadlock in their dispute and enter, as soon as possible, into direct discussions with a view to arriving at a friendly settlement on all the questions at issue between them.

If the decision of the Assembly is to have this constructive effect, the resolution which embodies it should be composed in such terms as not to imply judgment against one party or the other, especially since the facts and the law in the dispute have not yet been established by an impartial international tribunal.

As we believe that the draft resolution submitted by the Indian delegation is capable of this interpretation and is therefore not likely to serve to break the present deadlock, the Canadian delegation regrets that it cannot support it at least in its present form.

A number of helpful suggestions have been made in this Committee. The Canadian delegation favours the approach suggested both in the joint draft resolution, submitted by the delegations of Belgium, Brazil and Denmark, and in the amendment offered by the delegation of Norway. Both proposals contained a request that both parties enter into direct negotiations to reach an agreement. In addition they also provide that, in the event of failure to reach an agreement in this way, the dispute should be submitted to the International Court of Justice.

The Canadian delegation contended last year, and still maintains the position, that where, as in this case, there is a dispute between the parties as to the law and the facts or at least as to the interpretation given by one party as to the law and the facts, a reference of the case to the International Court of Justice would be entirely appropriate. Moreover, if, as is likely, the Assembly will be called upon to deal with the matter again, it would in our opinion be very desirable, as others have pointed out, that we should deal with this case on the basis of impartially established law and fact rather than upon charges and opinions expressed in debate.

The Canadian delegation would hope that the Indian delegation, together with those delegations who have offered amendments to its resolution, might reach agreement on a mutually acceptable text with the authors of the joint resolution submitted by Belgium, Brazil and Denmark. Moreover, we would earnestly hope a resolution could be evolved which would be acceptable both to India and South Africa as the basis for their renewed discussions.

With regard to the draft resolution submitted by Iraq, dealing with the general question is not on the agenda and should be submitted if at all as a separate item.

## I. Canadian Statement, October 14, 1947

### PARTITION PLAN FOR PALESTINE

The Report of the United Nations Special Committee on Palestine contains the considered judgment of a group of conscientious investigators on a problem of world importance. The Canadian delegation feels that it must express its views on the report, if for no other reason, because the lives and hopes of countless persons and the tranquillity of great areas depend upon our ability to find a constructive answer to the question before us.

The Canadian delegation has approached the Palestine question at this session of the Assembly without commitments. The Canadian representative on the Special Committee on Palestine was in no way bound by instructions from the Canadian Government and his freedom to use his own judgment and to reach independent conclusions was made known publicly at the time of his appointment. The Canadian Government appointed to this Committee a Justice of the Supreme Court of Canada, Mr. Justice Rand, who was specially qualified to consider evidence and to form impartial judgments, and who, in addition, was known to bring no preconceptions or prejudices to the consideration of the Palestine problem.

The conclusions which the Canadian Government has reached in regard to the question of Palestine and which I now propose to outline to the Committee are based on a careful consideration of the report as a whole, and the important discussion which has taken place in this Committee.

The Canadian delegation agrees in principle with the eleven recommendations of the Committee which were unanimously approved and with the twelfth which was approved by a substantial majority. In particular, in our view, the Special Committee established beyond doubt the need to end as soon as practicable the mandate for Palestine, to grant independence in Palestine and to clear out rapidly by concerted international action the assembly centres for displaced persons in Europe so as to relieve distress and create a better climate in which to carry out a final solution of the Palestine problem.

The discussion which has taken place in this Committee has, in our view, tended to confirm the principal argument given by a majority of the Committee in support of its proposal for partition with economic union. The report says: "The basic premise underlying the partition proposal is that the claims to Palestine of the Arabs and Jews, both possessing validity, are irreconcilable, and that among all of the solutions advanced, partition will provide the most realistic and practicable settlement, and is the most likely to afford a workable basis for meeting in part the claims and national aspirations of both parties." In the debate to which we have listened, strong arguments have been advanced in support of both Zionist and Arab positions, on the basis of geographical, historical, legal, social, ethnological and other considerations. These arguments lead in opposite directions rather than pointing the way to a mutually satisfactory adjustment. There has been much discussion of the principle of self-determination and of the areas and groups to which this principle should apply, much debate on the character, the interpretation and the priority of commitments. While these considerations are of great importance and cannot be ignored, we have come to the conclusion that the most important question for our consideration is what arrangement will best enable two peoples living within the confines of a restricted geographical area to avoid obstructing one another's development and most conduce to their welfare and freedom. In Canada we have had to work out a problem which while not analogous has points of resemblance to that which confronts the Committee for we ourselves are a nation of two peoples with two cultural traditions. During almost two centuries, both before and after the attainment of self-government in Canada, a number of solutions have been tried, including both partition and complete union. Eventually we reached a



satisfactory working arrangement in a federal state which is now 80 years old. Every year which passes confirms the wisdom of the decision we made and strengthens the interdependence and the mutual respect which made it possible. Confederation in Canada, was, however, based on agreement. The representative of Pakistan has said here that partition should not take place without consent but the question arises as to whether it is any better to try to maintain unity without consent. There is no evidence yet in anything we have seen or heard that both Arabs and Jews will accept accommodation within the framework of a single state. We maintain the hope, based on our own experience in federation, that they will some day find in federation a means of solving their problems. For the moment, however, we must accept the fact that they have emphatically rejected even the form of federation suggested in the minority report. In the circumstances, we have been led to accept, somewhat reluctantly, the majority proposals for partition as a basis for discussion.

Since the report of the United Nations Special Committee on Palestine was written, the problem has been greatly altered by the announcement by the mandatory power of its intention to withdraw from Palestine. This is a statement of serious import and we must take it into full account in making our decisions.

Confronted with the situation which will arise when the mandatory power withdraws, we must, I think, consider urgently three problems. First, how can we work out quickly and efficiently the details of the plan for Palestine which we are preparing to adopt? Secondly, who will take over the responsibility for the administration of Palestine which the mandatory power proposes to surrender? And thirdly, how shall we go about putting our decisions into effect in the absence of agreement by both Jews and Arabs to accept them?

In regard to the first of these questions, we share the views of other delegations that the partition scheme must be made workable if either political pacification or economic unity is to be achieved in Palestine. Therefore, a sub-committee should be set up without delay, as the United States delegation has suggested, to work out the details of a scheme, particularly in respect of boundaries, for recommendation to the Committee and, if approved, the Assembly.

There remain to be considered the other two questions, the acceptance of responsibility for administration and the problem of implementation. Various suggestions have been put forward in the course of discussions in this committee as regards possible measures for giving effect to a settlement in Palestine. In particular we note that the United States has expressed its willingness to participate in a United Nations programme for meeting economic and financial problems and the problem of internal law and order during the transition period. For the purpose of meeting the problem in internal law and order the United States delegation has suggested the establishment of a special constabulary recruited on a voluntary basis by the United Nations.

From a preliminary examination of this proposal, we believe that such a scheme has possibilities which must certainly be explored. It should be recognized, however, that the authority of the United Nations over such a force must be established beyond doubt, while the basis of recruitment should be such that it will not further inflame either community in Pales-



tine. To establish United Nations authority it may be necessary to explore the possible application of Chapter 12 of the Charter during the period of transition to independence.

The Security Council has also been mentioned as an appropriate organ which might be charged with the responsibilities of implementation since the immediate question involved would be that of safe-guarding peace and security.

It is to be hoped, however, that in spite of the uncompromising words which have been used in this Committee, the executive functions of the Security Council will not have to be invoked. We must assume that the decision we make will be a collective and responsible one. Once that decision has been reached, all members of the United Nations will realize that precipitate action to challenge it in violation of the Charter would set in train events of serious and unpredictable consequence not only to Palestine, but also the United Nations itself.

The problems raised by these questions concerning administration after the withdrawal of the mandatory power and the implementation of whatever plan we adopt should in our view be the subject of special and separate study by a second sub-committee in which the five permanent members of the Security Council should be included. This sub-committee would take into consideration, among other things, the suggestions regarding methods of implementation which have been made in the course of this debate.

In conclusion, I must reiterate with emphasis the view I have already expressed that only through compromise and accommodation can the people of Palestine hope to find the freedom and the control of their destinies which they so rightly and urgently desire. The United Nations, for its part, will have to be prepared collectively to support the decisions reached during this Assembly. Only in this way will it be possible to provide the conditions of stability which are necessary if Arabs and Jews are to be enabled eventually to find peace and understanding within the arrangement which is made.

## J. Canadian Statement, November 4, 1947

### PARTITION PLAN FOR PALESTINE

The Canadian delegation understands the position to be as follows. The sub-committee has been asked to consider what adjustments in the plan for a settlement in Palestine outlined in the Majority Report are necessary to make it workable. The sub-committee has also been asked to determine the means whereby this plan can be brought into effect and the steps necessary to administer Palestine during the transitional period.

The urgency of determining the methods of implementation is magnified by the declared intention of the mandatory power to withdraw from Palestine in the near future. Whatever plan is adopted for the settlement of the Palestinian question, there is danger that events will over-reach us, that we will be unable to take effective action in time, and that confusion and disorder will follow upon the withdrawal of the mandatory power.

It is with these possibilities in mind that the sub-committee must consider how best the Majority Report could be put into effect; leaving it for the *ad hoc* Committee and the Assembly to decide whether or not these or other measures shall be adopted.

We now have three sets of proposals before us—one presented by the delegate of Guatemala, one by the United States delegation, and a third by the U.S.S.R. delegation. None of us, I think, is at this stage prepared to do more than discuss the merits of these various proposals and in the hope that it may assist in the process of finding common ground on which to base a solution for the Palestine problem the Canadian delegation wishes to add its comments to the general discussion.

In the first place, we must recognize that what is contemplated by the Report is a major political operation for the successful execution of which, if the General Assembly decides to take affirmative action, the United Nations itself must assume grave responsibilities. We are now confronted with a problem which will strain the resources and endanger the prestige of this organization, and it is urgently necessary, not only for the people of Palestine but for the whole United Nations that we find a solution.

If the political operation recommended in the Majority Report is to be undertaken, we must make sure that the means chosen have three qualities, in particular: namely that they are constitutionally sound, practicable and effective. In our view, the withdrawal of the mandatory would create a legal vacuum in Palestine. The legal question, therefore, resolves itself into the question of what action the United Nations can take, or institute, whereby the legal vacuum may be filled in the manner contemplated by the Majority Report. In regard to the second point, the means chosen must be practicable. They must be the means best calculated to bring about a rapid and peaceful settlement in Palestine when the mandatory withdraws. There will be great administrative difficulties under any system. We must, by anticipatory action, endeavour to make sure that these administrative difficulties are kept to a minimum. Careful consideration should also be given in advance to the steps which could or might be taken by the United Nations should the settlement not work out peaceably in the manner contemplated.

What then could the United Nations do to take or initiate action whereby this major political operation might be brought about? Both the Guatemalan and United States delegations have suggested that the General Assembly itself might take responsibility for the administration of Palestine and carry into effect the Majority Report. However, the powers of the General Assembly, under Articles 10 and 14 of the Charter, are, explicitly, powers of "recommendation". To argue that it may establish subsidiary organs to enforce its decisions without reference to whether or not these decisions are acceptable to the parties concerned is to assume that these decisions are not recommendations, but commands. Our delegation therefore cannot reconcile such a construction with the plain language of the provisions of the Charter.

The United States delegation has proposed that the General Assembly "recommend" the emergence of the two states on the withdrawal of the mandatory power, and that the mandatory "hand over" governmental responsibility to the provisional governments immediately on withdrawal. The mandatory power would also be responsible, under the United States



proposal, for maintaining law and order until withdrawal and for making preliminary arrangements, in consultation with an advisory commission appointed by the General Assembly, for the emergence of two states in Palestine under the arrangements proposed by the General Assembly.

The Canadian delegation believes that under Article 14 of the Charter the General Assembly would be competent to make the proposed recommendation. Article 14 recites that "subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations". It seems to me that the General Assembly could recommend the contemplated measures to the Members of the United Nations (including the mandatory power) and also to the Arab and Jewish people of Palestine. I do not think that the General Assembly is limited legally under this Article, as to the states or persons to whom it may address its recommendations, or as to the measures it may recommend to adjust situations peacefully, or as to the situations it may deem likely to impair the general welfare. This authority is, of course, subject to the qualification I have already mentioned, that the Assembly cannot enforce its own decisions.

The position under the United States proposal, as I understand it, would be that the mandatory power, on withdrawal, would terminate the mandate, thus creating a legal vacuum in Palestine which would however (all necessary preliminary arrangements having been made) be immediately filled by the emergence of the two projected states. The mandatory would, in effect, merely hand over the keys. The question of the international identity of the two states would presumably require to be followed by some *ex post facto* action by way of recognition (e.g. by admission to the United Nations). No legal obligation would be created by the proposed Assembly resolution and, from the legal point of view, the success of the United States plan would depend on the willingness of the parties concerned to co-operate in initiating it. The Canadian delegation believes, nevertheless, that the emergence of these two states could be accomplished in the way contemplated in the United States plan, if the necessary co-operation were forthcoming. On the other hand, unless there is this co-operation, the desired results might not be achieved. Failure of the mandatory, or of the Jewish or the Arab people to co-operate, or the active resistance of any of these, would prevent the accomplishment of the objective. The legal vacuum would not be wholly or satisfactorily filled.

This delegation is inclined to agree with the United States view that there should be no further transitional period following withdrawal of the mandatory. It seems to us that whatever settlement is decided upon, the sooner the people of Palestine accept direct responsibility for their government, the better. It now appears to us also that great practical difficulties would arise in administering Palestine during a transitional period under an international authority as provided in any of the three plans before us. It should be realized, however, that we cannot avoid a transitional period of some kind, between the date upon which a plan is adopted by the Assembly and the date upon which the mandatory power withdraws. It does not seem to us that the problem of this period can be dismissed quite as easily as has been done by the representative of the United States in response to questions which were asked on this point. What the situation



calls for is a clear definition of the measures to be taken during the period of transition between the date of the withdrawal of the mandatory power.

Two further possibilities should be considered; one of these is the trusteeship system, to which the Canadian delegate referred briefly in his address before the *ad hoc* Committee. The second is action through the Security Council, which is the basis of the Soviet proposal laid before this sub-committee.

If there were to be a further transitional period following the withdrawal of the mandatory power, and appropriate machinery, juridicially speaking, would I think, be available in the trusteeship system. I need not remind the members of this sub-committee that, under Article 76, one of the basic objectives of the trusteeship system is to promote "progressive development towards self-government or independence **as may** be appropriate to the circumstances of each territory and its people." By Article 77, the trusteeship system clearly applies to such mandated territories as may be placed under that system. A trusteeship agreement is of course called for: Clause 2 of Article 77 recites that "it will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms". The terms of the trusteeship agreement could thus appropriately include provisions looking to independence such as are contained in the Majority Report. However, under Article 79, the terms of the Trusteeship Agreement have to be agreed upon by the "states directly concerned, including the mandatory power" and approved by the General Assembly, or the Security Council, as the case may be. Thus, while the trusteeship system would provide an appropriate means, juridically, for implementing the Majority Report, there may be practical difficulties in identifying the "states directly concerned", unless this expression, in the peculiar circumstances of the Palestine issue, is given a limited construction by the Assembly. If a transitional period is unnecessary, except in so far as it may be utilized for the city of Jerusalem, the trusteeship system would, moreover, be equally unnecessary.

The delegation of the U.S.S.R. has suggested that the Security Council could competently carry into effect the recommendations of the Majority Report. The General Assembly could, we believe, under Articles 10 and 14 of the Charter, recommend this course to the Security Council. The Canadian delegation has given very serious consideration to the proposal that this organ of the United Nations be used to bring about the change in Palestine. At this stage, I think it distinctly arguable that Articles 24, 39, 41 and 42 of the Charter, in their combined effect, authorize the Security Council to take the necessary action, either now, or later if serious difficulties arise. The Security Council, acting on behalf of all the Members of the United Nations, has, under Article 24, primary responsibility for the maintenance of international peace and security. Article 39 states that the Security Council shall determine the existence of any threat to the peace. The Council would, it seems to me, be competent to determine that the situation in Palestine in the circumstances resulting from the proposed withdrawal of the mandatory power, constitutes such a threat. Article 39 then states that the Council shall either make recommendations or "decide what measures shall be taken, in accordance with Articles 41



and 42, to maintain or restore international peace." Article 41 deals with measures not involving the use of armed force—the Security Council may decide what measures are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply them.

It is true that the measures necessary to create new states in a mandated territory from which the mandatory power is withdrawing are not listed in the second sentence of Article 41. Nor indeed was a situation of this character visualized at San Francisco. However, the measures listed in the second sentence are clearly not exhaustive. The sentence begins "These may include." It seems to me that a restrictive meaning ought not to be attached to the first sentence of Article 41. It is, of course, abundantly clear from the Charter that the limitation on the authority of the United Nations in matters "essentially within domestic jurisdiction" is not applicable to measures taken under Chapter VII. Canadian delegations have consistently taken the general position that provisions in the Charter relating to the powers and authorities of the organs of the United Nations ought to be construed broadly, in the manner best calculated to enable the United Nations to discharge most effectively its high responsibilities for the maintenance of peace and security. In our view, therefore, it would clearly be within the competence of the Security Council, under its responsibility in regard to peace and security, to take the necessary action.

There are, however, some practical difficulties which result from the use of the Security Council at this stage in the solution of this problem. The Security Council could not take effective action unless there were agreement amongst the permanent members that the present situation (as distinguished from any situation which might develop), constitutes an existing "threat to the peace". It would be necessary also that the permanent members agree as to the means for implementation. Before we make recommendations to the Security Council we should, I think, make quite sure that there was general agreement amongst the permanent members, in principle, and to some extent also in detail on these two points.

The Canadian delegation had some suggestions of its own which it felt might serve to bridge the gap between other proposals which have been made. We shall be glad to submit these in writing at the proper time to any working group which is set up. Since any Canadian observations would be partly in answer to questions which have already been posed to another delegation, it might be preferable to reserve them till the answer to these questions has been obtained.

In bringing these considerations to the attention of the sub-committee, the Canadian delegation has no thought of delaying or complicating its work. It seems to us that we must scrutinize carefully any plan we contemplate in order to anticipate the difficulties it may create, and it is to assist in this process that we have analyzed the various procedures that are open to us. Clearly we must discuss these questions further before we adopt final positions. In particular, I think, we must develop further and in greater detail the views we hold of the role the mandatory power shall play until the time of its withdrawal, and of the methods which are to be employed to maintain order in the period immediately following the withdrawal of the mandatory power.

The suggestion has been made that the delegates of the United States, the U.S.S.R. and Guatemala should form a working party to discuss in detail their various plans. The Canadian delegation supports this proposal, and hopes that the subject may be referred to this working party as soon as possible, in the hope that an agreed proposal may be reported back to the sub-committee.

## K. Canadian Statement, November 22, 1947

### PARTITION PLAN FOR PALESTINE

I think, Mr. Chairman, that it might be of some use to the Committee if I gave my view, as a member of the Sub-committee, on some of the changes that were made yesterday in our Report, and which have been referred to by previous speakers. These changes, as you mentioned this morning, Mr. Chairman, appear in a supplementary document, and they do, it is true, introduce three or four new ideas which, in the opinion of our delegation, make this Report of ours, in Sub-committee I, more workable in character. They also, we think, improve the chances of effective co-operation between the United Nations Commission and the mandatory power, without which any scheme of the United Nations General Assembly would be very difficult to operate successfully.

It is clear that one important change has been made to our Report, in that, to all appearances at least, though it is not down in black and white, the date of the termination of the mandate—and that is a very important factor in these discussions and in the decision we are going to take—can hardly be the same as the date of withdrawal of the mandatory's armed forces. That date of termination is now to be determined by the Mandatory alone.

In the amended Report of Sub-committee I the responsibility for administration in areas still occupied by the mandatory now rests solely on the mandatory. Nevertheless, I think that our revised Report does emphasize, more than the original Report did, the importance of co-operation, planning and preparation for the new states, between the mandatory and the United Nations Commission.

The fact, of course, that we do not know, and the General Assembly probably will not know, when it has to decide finally on this matter, what the date of the termination of the mandate is going to be, provides a very real difficulty. We have acted, however, in the Sub-committee, on the assumption—and I think it was a reasonable assumption—that the Mandate, in the words of the United Kingdom representative "will be terminated at a very early date." That seems to me to imply that the mandate will be terminated before the mandatory power withdraws its forces completely from any area of Palestine.

If that is the case, then some of the inconsistencies and possible contradictions which have been mentioned by the representative of Pakistan and others, do not exist in our Report. The inconsistency which he mentioned in Section A, paragraph 3, does not, it seems to me, become important, if the mandate terminates before the evacuation of any area is completed. A possible inconsistency in Section B, paragraph 12, was also mentioned.



That paragraph provides: "During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the mandate, the mandatory power in Palestine shall maintain full responsibility for administration in areas from which it has not withdrawn its armed forces."

I would suggest to the Committee, however, that there is no real practical difficulty here, because if the mandate were not terminated, and if, by some chance, the armed forces and the civil administration of the mandatory had been withdrawn from an area, how could the mandatory, how could the Government of the United Kingdom discharge full responsibility in any more than a legal sense? I think, therefore, that we were correct in assuming that the mandate would be terminated before any area was completely evacuated by the mandatory power.

After termination of the mandate, none of these difficulties arise, because the responsibility for administration is shared between the mandatory and the Commission as the former progressively withdraws and the latter takes over.

The representative of Syria, speaking this afternoon, said that the work of our Sub-committee was difficult. He was right. It *was* difficult. He said it was difficult because we were trying, in that Sub-committee, to convert wrong into right, and injustice into justice. In saying that, I think he did the members of the Sub-committee less than justice. It was not that. We were quite aware in the Sub-committee, of the difficulties of the position, the legal difficulties, the moral difficulties, and the physical difficulties. What we were trying to do in that Sub-committee was to carry out a duty, imposed on us by the full Committee, to draw up the most practicable solution possible for the partition of Palestine, and to try to work out a plan which would provide for a peaceful and orderly transfer of power from the mandatory to the people of Palestine.

Well, that is a difficult problem for anyone to solve. It was a difficult problem for Sub-committee II to solve. The representative of Pakistan, in answer to my first question, said this afternoon, when I asked him whether the members of Sub-committee II were certain that there could be a peaceful and orderly transfer of power from the mandatory to the people of Palestine, on the basis of their recommendations, said that this would depend, of course, on how the people of Palestine reacted to their recommendations, how they accepted the recommendations, and how they would co-operate in working them out. That applies also to our Report. We also recommend solutions, in the hope that the people of Palestine will cooperate in working them out. The answer the delegate from Pakistan gave to me to that question would be exactly the same as the answer I should give to the representative of Iraq when he asks us on Sub-committee I the same question.

The representative of New Zealand this afternoon told us that, while he was in favour of partition in principle, nevertheless, since there is nothing in our Report to provide for effective implementation or enforcement, unless that Report were amended to make such provision, his government would be unable to support it. He said that it was weak; he said that he wanted some amendments to make the Report strong—strong practically, as well as legally strong.

The representative of New Zealand is a man of agile intellect and ripe political wisdom, and I would hope that, having expressed a desire for that kind of amendment, he might be able to produce one. However, I should like to point out to him that the plan recommended in Sub-committee I Report is not quite as feeble in regard to enforcement as he seems to think it is. We have made some provisions for enforcing this plan, if it is adopted by the General Assembly. I do not need to go into details. I think that most of the Committee, who have studied the plan, are aware of them. I should like to point out one fact however: Quite apart from the provisions which we have agreed on for the setting up of provisional councils of government and a militia, we have also in our plan imposed on the Security Council the duty of giving guidance and general instructions to the United Nations Commission.

There is also the right of the United Nations Commission to refer matters back to the Security Council and ask for help from the Security Council. I hope that in relying on the Security Council in regard to these matters, the United Nations Commission will get more than that "desultory assistance" which the United States delegate mentioned when he referred to the cooperation that we have received in our work here from the United Kingdom. I am sure he did not mean assistance from the United Kingdom delegation, because as he knows—and he would be the first to admit—we have received, I think, every assistance possible from the United Kingdom delegation in the work of our Sub-committee. The fact that we did not receive more assistance from the United Kingdom delegation in the work of our "working group" was because we never invited the United Kingdom delegation to appear before that group.

Whatever may be the verdict of the members of the Committee in regard to the assistance which we have received from the United Kingdom Government—and maybe on one or two occasions that might without too much exaggeration be described as desultory—we have certainly received very hearty and valuable co-operation from the United Kingdom delegation.

This, however, is a digression. What I really wanted to emphasize was that we do have behind our proposed Commission, the Security Council. I, for one, would welcome a declaration from the permanent members of the Security Council that they are willing and determined to stand behind any action which the Security Council may have to take to back up the work of this Commission in Palestine, and to support any decision that the United Nations General Assembly may have to take in this matter. A declaration to that effect might be very helpful.

We all must admit that, in putting forward this plan of Sub-committee I, we are asking the General Assembly to take a calculated risk, as it has been called. But it is at least a plan, and that leads me to the consideration of the plan of Sub-committee II. I asked the members of that Sub-committee a question this afternoon; whether they felt that there was any legal authority behind their recommendations which would impose a unitary sovereign state on the people of Palestine. The representative of Pakistan answered that question to my complete satisfaction. I wish I were quite as satisfied as to the legal and constitutional validity of the plan of Sub-committee I. But in answering this legal question to my satisfaction, he convinced me that the plan of Sub-committee II does not really mean anything at all. It is a recommendation; it is only a recommendation, and



because it is only a recommendation, it does not seem to me to have any practical effect. The first recommendation of the plan of Sub-committee II is that a provisional government—from representatives of all important sections of the citizenry in proportion to their numerical strength—should be set up as early as possible in Palestine. How? By whom? In what way? Who is going to implement that? Not even the United Nations.

This proposed provisional government is to be worked out on the spot by some method, as I understand it, which remains to be determined. Also in this plan, a constituent assembly is to work out a constitution for the people of Palestine. That constitution will include certain basic principles which are designed to protect the rights of the minority in Palestine. But there is no guarantee that the constituent assembly will do that. There is merely a recommendation out of the blue and into the blue. That is why it would be extremely difficult for my delegation to accept the plan put forward by Sub-committee II as providing a workable and effective solution for the Palestine problem. Therefore, we come back to the plan of Sub-committee I.

I ask myself the question which most representatives no doubt are asking themselves. Can this plan work? Will it bring peace and order and some form of stability to Palestine? As I said a few days ago, it seems to me that on paper it is workable. But no plan that is workable only on paper is a very good one. Yet, I think it could be workable in practice as well, providing we obtain three conditions which I think we are entitled to expect, or at least to hope for. The first is the cooperation of the mandatory power. I, for one, have every confidence that the Commission in Palestine will receive that co-operation. We like to think in Canada that we know something about the British. So I am satisfied that, once the United Nations Commission gets to Palestine, the Commission will deserve and secure the co-operation of the mandatory power in working out any plan which has been accepted by two-thirds of the members of the United Nations.

The second condition to make this plan workable in practice is the active backing and support of the permanent members of the Security Council; the great powers which have to accept a special responsibility in this matter.

The third condition—and this may be the most difficult of all, but we must hope to secure it—is that this plan will be accepted by the people of Palestine and by *all* members of the United Nations if it receives a two-thirds majority vote of the members of our organization.

The Canadian delegation has only one desire in this matter—to bring peace and security to this unhappy land of Palestine, which is a Holy Land for us all and from which has come to so many millions spiritual security and peace.

Please do not think our delegation is happy about the situation we find ourselves in, especially after some of the statements that have been made in this Committee this afternoon. Nevertheless, Mr. Chairman, we must take some action in this matter. Therefore, we do feel that, in spite of what has been said, the plan that has been recommended by Sub-committee I, and which is based on the Majority Report of the United



Nations Special Committee which investigated this matter for many months, has the best chance of success of any that has been submitted to us; the best chance of bringing peace and order to that torn and troubled country. In that spirit, Mr. Chairman, our delegation will support the plan of Sub-committee I.

## L. Canadian Statement, November 26, 1947

### PARTITION PLAN FOR PALESTINE

I should like to state as simply and briefly as possible the position of my Government and delegation on the resolution before the General Assembly. We are voting for the partition plan because, in our judgment, it is the best of four unattractive and difficult alternatives. These alternatives are to do nothing, to set up a unitary Arab state in accordance with the plan of Sub-committee II, to set up a federal state in accordance with the minority recommendations of the United Nations Special Committee on Palestine, and partition.

Let me take these one by one. First, the objections to doing nothing are obvious. For the United Nations to do nothing in this situation would be an abdication, a shirking of its responsibilities in a situation which is pregnant with peril to peace. It would invite not only confusion but widespread violence involving not merely the people of Palestine but people elsewhere. It would, not improbably, result in bloodshed and a kind of irregular and murderous warfare which might spread far. We dismiss this first alternative as not worthy of the United Nations, as highly dangerous in its probable consequences—indeed, as virtually unthinkable.

The second alternative is to set up a unitary Arab state along the lines recommended by Sub-committee II of the *ad hoc* Committee, or, at least, to let such a unitary Arab state emerge at the time of the termination of the mandate. This course would have been the normal and natural one to pursue had it not been for the Balfour Declaration, the League of Nations mandate, the encouragement given to the immigration of Jews into Palestine over a quarter of a century, the establishment of a well-rooted community of nearly 700,000 Jews in Palestine who, as we are told, have invested there \$600,000,000, and the devotion on the part of Jews all over the world to the idea of a Jewish National Home in a country which once, at least, was a Jewish land. These factors cannot be ignored. They make the Palestine problem *sui generis* and unique, and they constitute a vital flaw in the otherwise unanswerable Arab case. It is because of these factors that the project of a unitary state has been repeatedly dismissed by a multiplicity of commissions on the Palestine problem, of which the United Nations Special Committee on Palestine was the latest, and decisively rejected by the *ad hoc* Committee. There is not a chance that this alternative can find acceptance by any but a small minority of the nations of the world. As a solution by this General Assembly it is, therefore, beyond the realm of the practical.

Similarly, the third alternative—a federal state—while, in our judgment, more defensible than the one which I have just discussed, has made very little appeal in this organization. Espoused by Yugoslavia, which has

argued the case with care, patience and conviction, the minority report of the United Nations Special Commission on Palestine has made no headway, received little support from other nations, and was not presented for consideration by a section of the *ad hoc* Committee large enough even to justify the setting up of a sub-committee to explore its possibilities.

Embodying as it does the essential features of a federal scheme, the Yugoslav plan, as I shall call it, has certain elements of attractiveness to Canadians. As I indicated in my opening speech on the Palestine question before the *ad hoc* Committee, the Canadian delegation wished that a federal plan could be worked out along these or similar lines. They are the lines along which our own national development has proceeded, with reasonable satisfaction to both racial elements in our population.

But Palestine is not Canada, and the Yugoslav plan has received no support whatever either from the Jewish Agency or from the Arab Higher Committee. A plan which appeals to neither Jews nor Arabs, and which opens up vast vistas of difficulty in adjustment and administration, is not a plan upon which this General Assembly would be justified in concentrating further attention.

This leaves the fourth plan, the plan of partition, which we have decided to support as the least objectionable of the four. We support this plan with heavy hearts and many misgivings. No responsible delegation could do otherwise after listening to the threat of reprisals and all the talk of fire and sword which we have heard from both parties to this controversy in the *ad hoc* Committee and which, I assume, we shall probably hear again today. But it would be folly to assume that there would be any less likelihood of disorder if any of the other alternatives were adopted. Indeed, in our judgment, this likelihood, in the case of every one of the other alternatives, would be not less, but greater.

The fact that after twenty-five years of international action in relation to Palestine, culminating in months of consideration by the General Assembly of the United Nations, we should find ourselves in this atmosphere of acrimonious recrimination, is a melancholy one. The air is heavy with gloomy forebodings, represented by one side or the other as savage threats or responsible predictions. But something must be done with this problem—and we are satisfied that, full of difficulties as the partition solution is, any other solution would be worse.

There is, of course, the hope that, once definitive action is taken, there will be a change of heart on the part of the responsible leaders of the two opposing camps. This is the more likely from the fact that, of all the solutions proposed, partition alone has received the support of the two greatest world powers. We must take it as certain that well-meant and fervent exhortations to conciliation, the kind of exhortation that we have heard during the last two months, are getting nowhere. These appeals and entreaties may make more progress after a decision by this organization on the partition solution is arrived at. This is the ray of hope in the situation.

It is not for Canada to advise other nations on the course they should take in this vote, and we doubt whether such advice would be either welcome or effective. But we find it difficult to understand the large number of abstentions which, we assume, will take place when we come to the vote. In the case of some nations, reasons have been given. In other cases, the



explanation probably is that nations like our own, far removed from Palestine, which had no part in the events leading up to this *denouement*, which made no promises to the Arabs and no promises to the Jews—and, least of all, to both—which played no politics with the situation, and which have nothing but the kindest feelings toward both Arabs and Jews, find it difficult to see why there should be thrown upon their shoulders a profoundly disturbing responsibility for a grave and far-reaching decision.

The Canadian delegation appreciates these sentiments on the part of many delegations. Indeed, to some extent, we share them. But we do not feel that they would justify us in abstaining from this vote. We have, as members of the General Assembly know, taken our full share of responsibility in this matter throughout the entire session. We have worked unremittingly in an attempt to obtain a solution which would be practical and workable, and we feel that our obligations, not only to this organization but to our own people, are such that we could not justify an abstention and are such that we should vote for the resolution. This we propose to do.

## M. Canadian Statement, October 23, 1947

### WAR PROPAGANDA

One reason, though a comparatively unimportant one, why I have asked for permission to speak on the matter before us, arises out of a statement made by Mr. Gromyko in this Committee last Saturday. He asked why the Canadian delegate objected to having delegations to the United Nations carry on the struggle against war-mongers and war propagandists. He apparently asked that question because he misinterpreted, no doubt purely accidentally, certain remarks made earlier by our representative that day. Mr. Gromyko said that he "had developed the thought in these remarks that we should not accuse anybody of war-mongering and so forth and so on". Of course, as a reading of the Canadian statement would show, no such thought was developed, nor was it suggested that we should not discuss war-mongering. What we said, in reference to the terms of reference of the proposed Interim Committee of the Assembly, and I quote from the text, was simply that "if the Interim Committee were to be used by certain delegations . . . for the endless repetition of groundless assertions that certain individuals are war-mongers, then it might become a liability rather than an asset." That has nothing whatever to do with the suggestion that we should not discuss **this resolution** or any other resolution which concerns war-mongering. I hope that Mr. Gromyko will interpret my intervention in this discussion as an indication that we do not object to such a discussion.

I must indicate at once, however, that I am unable to support the Soviet resolution before us, quite conscious of the fact that any statement of this kind leaves one open at once to the accusation of being in favour of war mongering and a friend of war mongers. In order to protect oneself as best one can from such an accusation and to justify a refusal to vote for this resolution, it is essential to look at it carefully, paragraph by paragraph.



The resolution of the delegation of the Soviet Union regarding measures to be taken against propaganda for a new war contains various ideas, some of which are of a highly contentious character both in form and in substance. These ideas have been crowded into the small space of a single resolution. In this resolution we are being asked to do two things. First, to declare that a certain type of propaganda amounts to a violation of the obligations we have assumed under the Charter. Second, we are asked to agree that each Government here represented should undertake to make the carrying on of such propaganda a criminal offence by legal definition.

In paragraph 1 of its resolution, the Soviet delegation ask us to condemn "the criminal propaganda for a new war . . . containing open appeals for aggression against the peace-loving democratic countries". To this appeal, I am sure, there will not be a dissenting voice. But if the Soviet delegation are genuinely anxious to get a ringing, unanimous verdict against "war-mongering", why do they single out three countries for special and dishonourable mention? Are they seriously suggesting that there are no misguided individuals in other countries, including their own, who, influenced by fear or hate, have counselled or may counsel violent policies against another State?

Furthermore, this paragraph of the Soviet resolution defines and interprets incitement to war in a way which makes one suspect that its authors are more interested in its propaganda value against certain countries and certain views than they are in stopping "war-mongering". This suspicion is strengthened by the nature and tone of statements made at this Assembly by the Soviet and certain other delegations.

This endeavour to particularize, to name certain countries and specify certain "circles" was further developed by Mr. Vishinsky in his statement on September 18 when he nominated certain individuals to the category of "war-mongers". Mr. Vishinsky, it will be noted, was careful at the same time to dissociate the responsibility of Governments from such reprehensible activity.

A wealth of press comment, much of it of a shabby and unimpressive character, was offered to us to establish the culpability of certain individuals and to sketch the outline of the geometrical design which Mr. Vishinsky refers to as a reactionary "circle". But all that we were given was a judgment made by the Soviet delegation, as to what circles in what countries are to be termed reactionary, and what kind of propaganda is criminal. A cynic might feel that when certain people talk about a "reactionary circle" they mean any group which, putting the individual above the state, and freedom before despotism, rejects totalitarian tyranny in all its forms; that when they talk of "criminal propaganda" they mean any expression of opinion hostile to their own foreign policies.

But if we are to accept this subjective approach, is it not open to other delegations to draw circles of equal validity around individuals or groups in the Soviet Union or in any other country, and condemn their expressions of opinion as equally reprehensible, insofar as such opinions are hostile, aggressive and not calculated to develop "those friendly relations" which, the second paragraph of the Soviet resolution reminds us, we are all obliged by the Charter to develop in our international relationships under the Charter?

The Canadian delegation feels that *all* propaganda from any source which is designed to provoke international ill-feeling is to be deprecated and condemned without reservation. Such propaganda is, of course, especially to be condemned when it is sponsored and directed by governments. It defeats the purposes for which this organization was established. These purposes as stated in Article I not only bind us to develop friendly relations among nations, but to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character.

Any kind of propaganda, I repeat, which deliberately defeats the peaceful purposes and principles of the Charter should be condemned along with the particular kind singled out by the Soviet resolution.

There is, for instance, the spreading of false and malicious reports by one government, through press and radio, about the people and government of another country. This practice is even more dangerous to peace and international goodwill when the offending government prevents normal social and cultural relations with the people of the country it misrepresents; when it stops the full and free exchange of information; when it puts obstacles in the way of visits by foreigners to its own country and refuses permission for its own citizens to visit other countries.

We have had some experience of all this in Canada. We have, for instance, been disheartened and discouraged in our sincere wish for friendly relations with the courageous Soviet people, to learn that false and misleading statements have appeared in the U.S.S.R. press and radio about our country; statements designed to stir up ill-feeling toward and misunderstanding about our people, and which in that sense might be termed war mongering. The official organ of the Soviet Government has said that German prisoners of war and the Government of Canada (a country which, incidentally, helped to capture these prisoners) form a "kinship of Nazi souls". The Soviet people, who seem to have only one source of news about Canada, are told for instance that my country is using its supplies of wheat to profiteer at the expense of starving Europeans, although Soviet officials must know that Canada, when it has not been giving wheat away as relief, has been selling it abroad at one, two or three dollars a bushel below the price charged by certain other countries. They have also been told—though Soviet press representatives and officials in Canada know it is untrue—(we let people travel wherever they wish to go in Canada and find out about things)—that instead of a few hundred soldiers, there are great formations of U.S. troops on our soil; that we have sold ourselves out to the U.S.A.—"lackeys of Wall Street" is their favourite if unoriginal expression—and that we have allowed large foreign military and air bases to be established on our territory from which the U.S.S.R. is to be attacked. The whole picture is being distorted, to build up enmity toward my country in the mind of the Soviet people. That, Mr. Chairman, is war-mongering, though the authors of this resolution obviously did not have it in mind when they presented it to us.

There is another kind of war-mongering not covered by the Soviet resolution, Mr. Chairman; a most insidious and evil kind. It might be called "civil war-mongering". This kind of war-mongering sometimes works in the open; more often it works in the dark. Its aim is to stir up domestic strife; to set class against class; to turn the people against their freely



elected governments; to instil hatreds and fears; in short, to do everything that can be done to stir up unrest which will lead to revolution and civil war. The exploitation by a foreign power, acting directly or through domestic agents, of the hopes and aspirations, the political fears and economic anxieties of peoples of other countries, in the interest of its own selfish national purposes and of its own power politics is possibly the worst war-mongering of all.

We are certain that this Committee will unanimously wish to condemn it.

The second paragraph of the Soviet resolution invites us to agree to the principle that "toleration" of, and even more so, "support" of the type of propaganda which contains open appeals for aggression, should be regarded as a violation of the Charter.

The Canadian delegation certainly affirms that all Governments, signatories of the Charter, should observe and apply the purposes and principles of the organization to which they are bound.

There is a distinction, however, between "toleration" of and "support" for propaganda for aggressive war. No peace-loving government should or would support such propaganda. Toleration, which, of course, does not mean approval and can be coupled with the strongest condemnation, is a different matter; at least in free societies.

One of the essential principles of such societies is that expression of opinion, whether to the liking or not to the liking of the Government, should be tolerated, unless it contravenes the law which the people themselves make. In a free society, citizens are free to judge as to the various opinions expressed and to agree to disagree with such opinions. We do not intend to change that position, or to follow certain other states in reverting to the dark ages of reaction, when despots attempted to control the conscience and the mind of men. We admit, however, that there is a difference between democratic and totalitarian states in this matter. In the latter, a warlike declaration or a bellicose pronouncement can be made only with the authority of the government, which has total control of all the mechanisms of propaganda and where there is no freedom of opinion. Therefore, there can be no possibility of wild and irresponsible statements being countered and neutralized by statements of sober, peace-loving persons who represent the great majority in every state. In my own country, and in others, there have been made and no doubt will be made rash and provocative statements by men driven to such things, they may feel, by the aggressive policies and arrogant attitudes of other states. Such statements we all condemn just as we condemn aggressive and unfriendly policies which provoke them. Such statements, however, in free countries, are refuted by others as soon as they are made and the damage that they do would be small if they were not seized upon and used by other states for their own purposes, one of which is the artificial creation of fear of attack from abroad as a buttress to despotism at home.

We do not agree, then, that laws which guarantee civil liberties should be changed for purposes such as those visualized in the true meaning of the Soviet proposal.

In most democratic countries, however, there are laws of libel and laws preventing seditious utterances. Not long ago a statement was made in a Canadian city which, as an incitement to class hatred and strife, was



considered by the Department of Justice of my government as rendering the speaker liable to prosecution. Here was a case where the author of a war-mongering statement could have been prosecuted under the law had it not been for the unfortunate fact that he was a member of a foreign Embassy in Ottawa and therefore escaped from legal prosecution. Fortunately, such cases are very rare.

In coming to paragraph 3 of the Soviet proposal we find the suggestion that Governments should be invited to prohibit "on pain of criminal penalties" the "carrying-on of war propaganda in any form".

This proposal apparently means that Governments should take it upon themselves to determine whether certain statements of their citizens, mainly statements of opinion, are to be deemed to be war propaganda and should see to it that criminal penalties are imposed on those who make such statements.

I must say that the assumption or exercise of any such authority by the government would be out of the question in a country such as ours where liberty of the press and freedom of speech have been and continue to be regarded as fundamental freedoms. The cure is not to be found in suppression but in freedom to counter falsehood by truth. The people of Canada are quite able to judge as between opinions that may be expressed and form their own views as their conscience may direct. It seems a pity indeed that the Soviet delegation which has asked governments to undertake this serious responsibility, has not on its own record shown itself to feel under any obligation to exercise restraint on press and radio comment in its own country. This is all the more strange because as we understand it the press of the Soviet Union exercises its functions with a special sense of responsibility to the Government. And yet we hear every day hostile expressions of opinion which are not calculated, to say the least, to develop friendly relations among nations, nor to strengthen the desire for universal peace.

We now turn to the fourth paragraph of the Soviet resolution. The Canadian delegation notes in the first place that this paragraph contains an interpretation of the Assembly resolutions of January 24 and December 14, 1946, which does not accord with the text of these documents. These resolutions do not concern only the question of the exclusion from national armaments of the atomic and all other main types of armaments designed for mass destruction. Both resolutions explicitly refer to the establishment of a system of international control along with elimination of atomic weapons from national armaments.

I know that it has been the endeavour of the Soviet delegation to persuade us over many months that the control of atomic energy to the extent necessary to ensure its use for peaceful purposes only, can be made the subject of a separate convention, which would follow an international agreement outlawing the use and manufacture of atomic weapons.

The majority of the Atomic Energy Commission, in spite of repetitious argument on this point, have not been persuaded and still maintain the view that effective international control of atomic energy is the real issue which must be solved, and that this cannot be achieved either by a mere diplomatic document saying that the manufacture and use of atomic weapons is being prohibited, nor by the later Soviet proposal that periodic inspection and check is sufficient.

The reports of the Commission, now two in number, both recognize that a convention prohibiting the manufacturing and use of atomic weapons should be included as a part, indeed as a necessary part, of a general international agreement establishing effective control of atomic energy. But so long as we face up to the essential fact that atomic energy can be used equally for industrial as well as military purposes, and that for this reason controls must be established over the distribution of materials, the operation of plants and facilities and over all the processes involved from the mining of the materials to the release of atomic energy for peaceful purposes, we cannot accept the over-simplification of the problem which once again is presented to us within the text of paragraph 4 of the Soviet resolution. The Canadian delegation, therefore, does not feel that any useful purpose would be served by reaffirming a garbled and inaccurate interpretation of this Assembly resolution.

As regards the reference in paragraph 4 to the implementation of the Assembly resolution of December 14 on the reduction of armaments, we would like to point out that the Canadian delegation was among those which, at the Second Session of the General Assembly, drew attention to the urgent necessity of securing an international agreement for the regulation and reduction of armaments. It was our contention then, and it still is, that the regulation and reduction of national armaments can only become a reality if collective security under the United Nations is built up. The problem of security and disarmament in our view is a single problem, which cannot be dealt with in parts, or separately in water-tight compartments. For instance, how are nations to judge as to the extent of the national armaments or forces which they should maintain until the military agreements are entered into under Article 43, whereby Members undertake to make armed forces, assistance and facilities available to the Security Council. We have waited, and so far in vain, for agreement in the Military Staff Committee to enable the essential preliminary planning to be done. We insist that the plans of the Military Staff Committee for the purpose of implementing Article 43 are an essential prerequisite to the regulation and reduction of national armaments. No useful purpose, in our view, can be served by trying to apportion blame for lack of progress in the Commission for Conventional Armaments, but it is evident to us that so long as fundamental differences of view persist on questions of important principle, and above all on the relation between the establishment of conditions of international security and disarmament, little progress can be expected. The Canadian delegation, however, as member of the Security Council will do its best to expedite the implementation of the resolutions of the Assembly to which reference is made in paragraph 4 of the Soviet resolution.

It will be clear, I hope, from what I have said, that we will not be able to support the Soviet resolution. I imagine other delegations will be in the same position. I venture to express the hope, however, that *all* delegations will wish to condemn war-mongering in all its forms, including civil war-mongering. I feel certain, also, that *all* delegations would wish to support a declaration in a positive sense in favour of propaganda for peace; peace-mongering, if you like.

In the hope that we may all unite on these two aims, the Canadian delegation is submitting a short straightforward, non-controversial resolution as follows:



The United Nations condemn all propaganda inciting to aggressive war or civil strife which might lead to war,  
and urge

Members to promote, by all means of publicity and propaganda available to them, friendly relations among nations on the basis of the purposes and principles of the Charter.

## N. Joint Resolution Submitted by Australia, Canada and France, October 26, 1947

### MEASURES TO BE TAKEN AGAINST PROPAGANDA AND THE INCITERS OF A NEW WAR

*Whereas* in the Charter of the United Nations the peoples express their determination to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to practise tolerance and live together in peace with one another as good neighbours; and

*Whereas* the Charter also calls for the promotion of universal respect for, and observance of, fundamental freedoms including freedom of expression, all members having pledged themselves in Article 56 to take joint and separate action for such observance of fundamental freedoms,

#### *The General Assembly*

1. *Condemns* all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression.

2. *Requests* the Government of each Member to take appropriate steps:

(a) to promote, by all means of publicity and propaganda available to them, friendly relations among nations based upon the purposes and principles of the Charter;

(b) to encourage the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace.

3. *Directs* that this resolution be communicated to the forthcoming Conference on Freedom of Information, with a recommendation that the Conference consider methods for carrying out the purposes of this resolution.



## O. Resolution of the Assembly, November 3, 1947

### WAR PROPAGANDA

*Whereas* in the Charter of the United Nations the peoples express their determination to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to practise tolerance and live together in peace with one another as good neighbours; and

*Whereas* the Charter also calls for the promotion of universal respect for, and observance of, fundamental freedoms which include freedom of expression, all Members having pledged themselves in Article 56 to take joint and separate action for such observance of fundamental freedoms,

*The General Assembly,*

1. *Condemns* all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression.

2. *Requests* the Government of each Member to take appropriate steps within its constitutional limits:

(a) to promote, by all means of publicity and propaganda available to them, friendly relations among nations based upon the purposes and principles of the Charter;

(b) to encourage the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace.

3. *Directs* that this resolution be communicated to the forthcoming Conference on Freedom of Information.

## P. Text of Articles 11, 12 and 14 of the Charter of the United Nations

### Article 11

1. The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any question relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

#### *Article 12*

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

#### *Article 14*

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare and friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the purposes and principles of the United Nations.

### Q. United States Proposal, September 26, 1947

#### ESTABLISHMENT OF AN INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

##### *The General Assembly*

*Conscious* of the responsibilities specifically conferred upon it by the Charter in relation to the maintenance of international peace and security (Article 11), the promotion of international co-operation in the political field (Article 13), peaceful adjustment of any matters likely to impair the general welfare and friendly relations among nations (Article 14):

*Deeming it necessary* for the effective performance of these functions to establish a Committee for study, inquiry and discussion on its behalf during the period between the adjournment of the present session and the convening of the next regular session of the General Assembly (Article 22);

*Recognizing* fully the primary responsibility of the Security Council for prompt and effective action for the maintenance of international peace and security (Article 24);



*Resolves that*

1. An Interim Committee is created composed of all the Members of the United Nations, each Member to have one representative:

2. The Interim Committee shall assist the General Assembly by performing the following duties and functions:

- (a) To consider, as it may determine, such situations as may come to its attention within the purview of Article 14, or such questions as are brought before the General Assembly by the Security Council pursuant to Article 11 (2), and to report thereon, with its recommendations to the General Assembly;
- (b) To consider and to make recommendations to the General Assembly upon general principles of co-operation in the maintenance of international peace and security under Article 11 (1) and to initiate studies and make recommendations for the purpose of promoting international co-operation in the political field under Article 13 (1) (a);
- (c) To consider whether occasion may require the calling of a special session of the General Assembly and if it deems that such session is required, to so advise the Secretary-General;
- (d) To conduct investigations and appoint commissions of enquiry within the scope of its duties and functions as it may deem useful and necessary;
- (e) To study, report and recommend to the Third Regular Session of the General Assembly on the advisability of establishing a Committee of the General Assembly on a permanent basis to perform the duties and functions of the Interim Committee with any changes considered desirable in the light of its experience;
- (f) To perform such other functions and duties as the General Assembly may assign to it.

3. In discharging its duties and functions, the Interim Committee shall at all times take cognizance of the responsibilities of the Security Council under the Charter for the maintenance of international peace and security, and it shall also take duly into account the duties and functions assigned by the General Assembly or by the Security Council to any committee or commission, such as the Atomic Energy Commission, and the Commission for Conventional Armaments.

4. The provisional rules of procedure of the General Assembly shall, so far as applicable, govern the proceedings of the Interim Committee and such sub-committees and commissions as it may set up. The Interim Committee shall elect its Chairman, Vice-Chairman, Rapporteur and such other officers as it may deem necessary. The Interim Committee shall be convened by the Secretary-General within fifteen days following the close of the Second Regular Session of the General Assembly, and it shall continue to serve until the beginning of the Third Regular Session of the General Assembly.



5. The Secretary-General shall enter into suitable arrangements with the appropriate authorities of any Member State in whose territory the Interim Committee or its sub-committees or commissions may wish to sit or to travel. He shall provide necessary facilities and assign appropriate staff as required for the work of the Interim Committee, its sub-committees and commissions.

## R. Canadian Amendment to United States Proposal, October 17, 1947

### ESTABLISHMENT OF AN INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

(1) Sub-paragraph 2 (a) of the U.S. Resolution to be revised to read as follows:

To consider, as it may determine, such situations as may come to its attention within the purview of Article 14 or Article 35 of the Charter, or such questions as are brought before the General Assembly by the Security Council pursuant to Article 11 (2) and to report thereon, with its recommendations to the General Assembly;

(2) The following functions and duties to be added to paragraph 2 of the United States Resolution:

- (i) to consider and report to the General Assembly on the implementation of resolutions referred to it by the General Assembly for such consideration and report.
  - (ii) to give preliminary consideration, as the committee may determine, to any item which has been placed on the provisional agenda of the General Assembly, and to make reports and recommendations to the General Assembly as a result of this consideration.
- (3) Sub-paragraph 2 (b) of the United States resolution to be deleted.

## S. Resolution of the Assembly, November 13, 1947

### ESTABLISHMENT OF AN INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

#### *The General Assembly*

*Conscious* of the responsibility specifically conferred upon it by the Charter in relation to matters concerning the maintenance of international peace and security (Articles 11 and 35), the promotion of international co-operation in the political field (Article 13) and the peaceful adjustment of any situations likely to impair the general welfare or friendly relations among nations (Article 14);

*Deeming it necessary* for the effective performance of these duties to establish an Interim Committee to consider and report with its conclusions on such matters to the General Assembly during the period between the closing of the present session and the opening of the next regular session of the General Assembly;

*Recognizing* fully the primary responsibility of the Security Council for prompt and effective action for the maintenance of international peace and security (Article 24);

*Resolves that*

1. There shall be established, for the period between the closing of the present session and the opening of the next regular session of the General Assembly, an Interim Committee on which each Member of the General Assembly shall have the right to appoint one representative.

2. The Interim Committee, as a subsidiary organ of the General Assembly established in accordance with Article 22 of the Charter, shall assist the General Assembly in the performance of its functions by discharging the following duties:

- (a) To consider and report, with its conclusions, to the General Assembly on such matters as have been referred to it by the General Assembly;
- (b) To consider and report with its conclusions to the General Assembly on any dispute or any situation which, in virtue of Articles 11 (2), 14 or 35 of the Charter, has been proposed for inclusion in the agenda of the General Assembly by any Member of the United Nations or brought before the General Assembly by the Security Council, provided the Committee previously determines the matter to be both important and requiring preliminary study. Such determination shall be made by a majority of two-thirds of those present and voting, unless the matter is one referred by the Security Council under Article 11 (2), in which case a simple majority will suffice;
- (c) To consider, as it deems useful and advisable, and report with its conclusions to the General Assembly on methods to be adopted to give effect to that part of Article 11 (1) which deals with the general principles of co-operation in the maintenance of international peace and security, and to that part of Article 13 (1) (a) which deals with the promotion of international co-operation in the political field;
- (d) To consider, in connection with any matter under discussion by the Interim Committee, whether occasion may require the summoning of a special session of the General Assembly and, if it deems that such session is required so to advise the Secretary-General in order that he may obtain the views of Members thereon;
- (e) To conduct investigations and appoint commissions of enquiry within the scope of its duties, as it may deem useful and necessary provided that decisions to conduct such investigations or enquiries shall be made by a two-thirds majority of the members present and voting. An investigation or enquiry elsewhere than at the headquarters of the United Nations shall not be conducted without the consent of the State or States in whose territory it is to take place;



- (f) To report to the next regular session of the General Assembly on the advisability of establishing a permanent committee of the General Assembly to perform the duties of the Interim Committee as stated above with any changes considered desirable in the light of experience.

3. In discharging its duties the Interim Committee shall at all times take into account the responsibilities of the Security Council under the Charter for the maintenance of international peace and security as well as the duties assigned by the Charter or by the General Assembly or by the Security Council to other councils or to any committee or commission. The Interim Committee shall not consider any matter of which the Security Council is seized.

4. Subject to paragraphs 2 (b) and 2 (e) above, the Rules of Procedure of the General Assembly shall, so far as they are applicable, govern the proceedings of the Interim Committee and such sub-committees and commissions as it may set up. The Interim Committee shall, however, have authority to adopt such additional rules as it may deem necessary provided that they are not inconsistent with any of the Rules of the General Assembly. The Interim Committee shall be convened by the Secretary-General not later than six weeks following the close of the second regular session of the General Assembly. It shall meet as and when it deems necessary for the conduct of its business.

5. The Secretary-General shall provide the necessary facilities and assign appropriate staff as required for the work of the Interim Committee, its sub-committees and commissions.

## T. Canadian Statement, October 18, 1947

### ESTABLISHMENT OF AN INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

In his opening statement in plenary session, the Chairman of the Canadian delegation stated that he saw no reasons why the functions of the Assembly should not be put to greater use for the solution of problems of peace and security which were not being solved elsewhere. He said, "Our delegation also supports the United States proposal designed to extend the usefulness of the Assembly. We think that its acceptance would infuse new life and vigour into the whole organization". The Canadian delegation has already, therefore, accepted the principle which is embodied in the United States resolution.

We think that the circumstances fully justify an attempt at this time to make greater use of the functions of the Assembly. There are threats to peace and security in the world and to the success of our organization. The character and the tone of debates in this Assembly have unhappily given us no reason to believe that these threats will decrease in the near future. As a secondary power, Canada has special reasons for fixing her hopes for peace and security on the United Nations. Politically we are vulnerable to the shock of international conflict and economically we can be shaken by the instabilities of a disturbed world. Like the people of other secondary states, Canadians look to the United Nations as an instru-



ment through which we can co-operate to remove these dangers and to establish an orderly and peaceful world community. It is clear to all that this instrument is not now adequately performing that function, and that the failure arises principally from the inability of the Security Council to take effective action on the matters which come before it. Into the reason for that failure we do not now need to go. A clue to it was, however, given by certain words heard yesterday from a representative of a permanent member of the Council, "On this matter", he said, "we do not compromise."

It has been said here that the system of collective security provided within the framework of the Security Council is based upon the assumption of the unanimity of the Great Powers, and that nothing should be done here to undermine this principle which is fundamental to the Charter. Our delegation, of course, supports the principle of unanimity as we understood its intention to be when the Charter was drafted. We are all vitally concerned that unanimity should prevail amongst the Great Powers, especially on measures necessary for the maintenance of peace. The fact is, however, that such unanimity does not exist. Indeed its most characteristic feature is its absence. We are in a situation where the unanimity rule has become, in effect, both a rule of dissent, and a guarantee of inaction. We must therefore ask ourselves whether those countries which have waited with patience but with growing uneasiness for effective action on behalf of the United Nations by the Security Council, should continue to stand idly by and see their hopes for peace and security dissolved by the acids of controversy which have been distilled during the discussion in the Security Council of international problems. It seems to us that we must act, or surrender ourselves to perils of negation and frustration which we ourselves cannot influence. There are two things we may do. First, we may continue our efforts to remedy the situation which has arisen in the Security Council in such a way that it will fulfil the functions for which it was designed. We face here, however, the formidable obstacle of the veto which cannot be changed except by amendment to the Charter or by self-denying ordinances by the permanent members. Secondly, we may seek means to expand and strengthen the functions of the Assembly, so that it may stand as a second line of defence when the Security Council has failed.

I have mentioned first this major cause for concern because, like the delegate from Australia, I think we should be quite honest with ourselves in admitting that it is primarily the paralysis which has fallen upon the Security Council that leads us to contemplate the establishment of an Interim Committee of the Assembly. There are, however, other reasons for expanding the functions of the Assembly. In the short space of two years we have brought our organization into full operation and we are now finding that it has even more responsibilities than we had anticipated. Even if the political and security questions which might be discussed in an Interim Committee, are, as we hope, settled elsewhere, there are other urgent matters with which a committee of this nature might usefully occupy itself. Our agendas are crowded and there is evidence that they will be even more crowded in the future. The experience of our own committee is not such as to warrant any exaggerated optimism that the regular session of the Assembly will deal with these additional items with energy and despatch. Furthermore, our agendas will include complicated items which

require more careful consideration than can be given within the short space of time at our disposal during a regular session. Even more important is the fact that many of these items require preparatory work by way of study and investigations between sessions to enable delegations to form considered judgments. Finally the full membership of the United Nations should be concerned to know from month to month whether or not the more important recommendations which it has embodied in its resolutions are being observed. In the course of a regular session, the Assembly adopts many resolutions, some of which are of great importance. It would be desirable to have between sessions a committee specifically charged with observing and reporting on the implementation of the most important of these resolutions.

There remains the question: Are we entitled to take action of the kind we contemplate? Is it legal and constitutional? Serious questions have been raised in this connection, and we should not dismiss them lightly. The only limitations which we face are the provisions of Articles 12 and 24. In our opinion and in spite of dogmatic but unsupported statements to the contrary, the U.S. proposal does not contravene either of these Articles. On the contrary, it falls within that provision of the Charter, Article 22, which provides for the establishment of subsidiary organs of the Assembly. Assertions, therefore, that in accepting the principle of the U.S. proposal we are breaking the Charter are without foundation. Their constant repetition does not make them more convincing. The intention at San Francisco was to provide in the Assembly an instrument with the necessary power and flexibility for the performance of the important duties assigned to it.

There are, of course, other ways within the Charter by which the General Assembly could fulfil the continuing responsibilities which we think it should discharge. The General Assembly might, by simple adjustments in the Rules of Procedure, be kept in session throughout the year, meeting as the occasion required. It would be possible also for us to depend on special sessions of the Assembly, and there is the third expedient establishing a committee of the whole Assembly to meet between regular sessions. There are advantages and disadvantages to be found in each of these methods. We have been led to the conclusion, however, that an Interim Committee is the method best suited in the circumstances for developing the functions of the Assembly in the manner which we are contemplating.

The terms of reference to be given to such a committee must be studied carefully. We do not agree entirely with those which have been suggested in the United States resolution and for this reason have submitted (in Document A/C. 1/217) certain amendments to that proposal. It seems to the Canadian delegation that there are important functions which might be performed by an Interim Committee and which are not mentioned in the proposal before us. The United States delegate, himself, in introducing his proposal, referred to the important duties which an Interim Committee might perform in preparing the way for regular session of the General Assembly. He has not, however, made provision for performance of these duties in the resolution which he has presented. It seems to us also that the Interim Committee should consider the extent to which the more important resolutions of the General Assembly are being carried out. We realize that these resolutions are no more than recommendations to member nations. They are, however, expressions of international opinion which must carry



great weight. During the experimental year which is proposed, it is probable that the Interim Committee should consider the effect of only such important resolutions as are referred to it by this Assembly. The Committee itself might later consider whether, in the long run, it would be useful for the Assembly to have before it, when it meets, a report on the implementation of its resolutions.

There are also certain parts in the United States resolution which we think might be deleted. The Interim Committee will be both temporary and experimental in character, and we are not satisfied that at this stage it should be asked to assume the very general responsibilities which arise from Article 11 (1) and 13 (1) (B) of the Charter. The instrument which we are proposing to create may well prove so useful that we shall wish to extend its duties in this respect. At first, however, we should like to see excluded from its terms of reference the wide-ranging responsibilities which were suggested by these two Articles. The Canadian delegation is, however, in full agreement with the idea that the terms of reference of the Committee should give it full authority to consider all matters in regard to peace and security which come within the competence of the General Assembly. For this reason we would favour a reference to Article 35 as well as to Article 14 in the terms of reference of the Committee.

Within the areas which I have suggested, we consider that the Interim Committee should be given clearly defined responsibilities. It should have the right to discuss fully any subject which comes on its agenda, to conduct investigations and to make reports and recommendations to the General Assembly, either in regular or special session. We do not think that it should have any other powers, nor do we consider that it should be established at this time for longer than an experimental period of one year. We agree with the United States proposal that it should be a committee of the whole Assembly.

Before I conclude may I support the appeal, or was it a warning, made yesterday by the delegate from France: that this committee should not become a platform for the rehashing of political propaganda of the kind we are becoming all too familiar with in this Assembly. If the Interim Committee were to be used by certain delegations merely for the reading and distortion of press statements by and about individuals, well-known and obscure, or for the endless repetition of groundless assertions that certain individuals are war-mongers and certain peoples straining at the leash to overthrow their free and democratic systems of government, then the committee might become a liability rather than an asset and its discussions as intolerable as they have once or twice threatened to become in this committee.

Mr. Chairman, we are building in the United Nations a structure for international co-operation which must endure. Our hopes depend upon its success. Its weakness lessens the security of each one of us. If the experiment which we are contemplating will have the effect of making the organization more effective, and that is our only purpose in supporting it, it will repay a thousandfold the effort which we shall expend upon it. The Canadian delegation will gladly co-operate in making the experiment in the hope that the instrument we are creating may help speedily to remove the circumstances which make it necessary.



## U. United States Proposal, November 18, 1947

### CONSIDERATION OF VOTING PROCEDURE IN THE SECURITY COUNCIL BY THE INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

The General Assembly, in the exercise of its power to make recommendations relating to the powers and functions of any organs of the United Nations (Article 10),

Requests the Interim Committee of the General Assembly, in accordance with paragraph 2 (a) of the resolution of the General Assembly of 13 November, 1947, establishing that Committee, to:

(1) Consider the problem of voting in the Security Council, taking into account all proposals which have been or may be submitted by Members of the United Nations to the Second Session of the General Assembly or to the Interim Committee;

(2) Consult with any committee which the Security Council may designate to co-operate with the Interim Committee in the study of the problem;

(3) Report with its conclusions to the Third Session of the General Assembly, the report to be transmitted to the Secretary-General by 15 July, 1948, and by the Secretary-General to the Members and to the General Assembly.

Requests the permanent members of the Security Council to consult with one another on the problem of voting in the Security Council in order to secure agreement among them on measures to ensure the prompt and effective exercise by the Security Council of its functions.

## V. Canadian Statement, November 11, 1947

### RELATIONS OF MEMBERS OF THE UNITED NATIONS WITH SPAIN

I should like to say a few words in explanation of the vote that the delegation of Canada proposes to pass on these resolutions that are before the Committee.

We feel that we will have to vote in opposition to the resolution of Poland. If we were to select speeches that come closest to representing our point of view, they would be the speeches by the representatives of Pakistan and the Netherlands made this morning.

Briefly stated, the reasons why we feel that we must oppose the Polish resolution are:

First, because nothing in the way of effective sanctions can flow from it. The Security Council cannot apply Article 41 without first determining that there is a threat to the peace under Article 39, and there is no serious allegation of a threat to the peace. It would be very doubtful if any such allegation could be proved if it were made.

Therefore we feel that the resolution, if passed, would be entirely ineffective and could not properly be acted upon. It would be a futile gesture by the United Nations, much as if we were making a face at

Franco, making a face across the Atlantic at him. We do not think it is likely that a step of that kind would add to the dignity or the prestige of the United Nations, and we think that it would go some distance in discrediting the United Nations. That is our first reason.

Our second reason for voting against that resolution is because the passing of such a resolution would, we think, be helpful rather than harmful to the Franco regime. We do not want to help Franco in any way. Last year we expressed our abhorrence of the Franco regime. The words which our representative used were these:

We abhor the record and the present policies of the Franco dictatorship.

We earnestly hope that the Spanish people may be able to rid themselves of Franco by peaceful means and establish a democratic, responsible and enlightened administration.

We are *not* prepared to support at this time outside intervention in Spain which might impede European recovery, or revive in Spain the horrors and sufferings of civil war.

Our delegation sees no reason to change its position as stated last year.

The Canadian people and Government do not favour authoritarian or totalitarian government, whatever may be its political complexion. If we are to spend our time in passing ineffective resolutions, we are afraid that they would simply cause the Spanish people to rally to the support of Franco, instead of bringing the Franco regime into disrepute. That is the reason why we think passing a resolution of this kind would help him rather than hurt him.

Our third reason is that last year we voted against this provision of last year's resolutions with respect to specialized agencies. We did not think it was wise to pass that part of the resolution, and we still are of that opinion. We would not like to vote for a reaffirmation of last year's resolution for that reason. While we abstained in the vote last year, we feel that the reasons, under the present circumstances, for opposing the resolution are so strong that we should vote against it this year.

## W. Canadian Statement, November 7, 1947

### ADMISSION OF NEW MEMBERS

The attitude of the Canadian delegation towards admission of new members to the United Nations is based on Article 4 of the Charter. Applicants should be considered on their merits. Their qualifications should be judged on the principles defined in the Charter. The applicant must be a peace-loving state, it must accept the obligations of the Charter and it must be able and willing to carry out these obligations. This basis of judgment was approved by the General Assembly itself in a resolution of November 19, 1946, which states that each application must be examined on its merits "as measured by the yardstick of the charter in accordance with Article 4". We therefore reject any considerations extraneous to the Charter, such as whether or not the applicant state is in diplomatic relations with certain members of the United Nations.



This delegation also recognizes that a decision of the General Assembly with regard to the admission of any state membership requires under Article 4, a recommendation of the Security Council. I say that after listening carefully to the argument of the representative of Argentina, who contends that the General Assembly can admit new members without a recommendation of the Security Council. We do not think that that is correct. We think that the recommendation of the Security Council required by Article 4 involves a decision to make such a recommendation, and that such decision is governed by the provisions of Article 27 of the Charter and requires the concurrent vote of the permanent members. Whether that legal contention is correct or not, if a state of co-operation is to exist between the General Assembly and the Security Council, the General Assembly should certainly secure the recommendation of the Security Council before attempting to admit new members itself. The question arises: What is the Assembly to do about applications for admission of states which fail to secure the necessary approval in the Security Council?

Confronted by this situation, we could take up each rejected application and consider its qualifications in the light of the criteria established in Article 4 and come to a decision in the Assembly recommending that the Security Council re-examine the applications of those states which have been favourably considered by the General Assembly. We feel, however, that there is no use in adopting this procedure if the conclusions which we reach here in the Assembly are to be judged in the Security Council and altered on the basis of an entirely different set of considerations. I think that we might very well reach agreement by an overwhelming majority that the Security Council was not justified in rejecting the application of certain states which have applied for membership. Indeed, this delegation would favour the admission of a number of new states, and I think that the Assembly might well find itself in agreement on quite a comprehensive list. As matters stand, however, we may be certain that no matter how impressive a majority may be recorded here in the Assembly, some or all of the applicants we may favour will continue to be vetoed in the Security Council.

Now we recognize, Mr. Chairman, that there is a real difficulty in determining in some cases as to whether in fact an applicant qualifies under the criteria of Article 4, particularly whether the applicant can be regarded as "able and willing to carry out" the obligations of the Charter. This difficulty exists even if the most objective judgment is applied in determining each case. Discussions in the Security Council as well as in this Committee at the last session, as well as today, amply demonstrate that such a difficulty exists. But surely this is exactly where the discussion of individual applications in the Assembly is particularly relevant in making a proper determination of whether a state is eligible for membership under Article 4 or not. Where, after full discussion of the relevant facts, an overwhelming majority of the members of this organization have stated as their judgment that an applicant is a peace-loving state and able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership, this would be a fairly solid basis for a proper determination of the case, a basis, I submit, which would justify favourable consideration being given to an application by the Security Council.

On the other hand, if after a favourable determination with respect to any application by the General Assembly the application is to be vetoed in the Security Council, then, in the opinion of the Canadian delegation,



action on the subject of membership by this Committee or the Assembly serves little or no useful purpose. The Canadian delegation therefore believes that consideration of each application rejected by the Security Council on the part of the Assembly can be justified only if all the members of the Security Council will agree not to use their veto to prevent the admission of a state which has been approved by two-thirds of the General Assembly as having qualified under the conditions of Article 4, paragraph 1.

If the permanent members of the Security Council were to give such an assurance, the Canadian delegation would be happy to state its position with regard to each applicant mentioned in the resolutions before us and to participate in a vote in order to record a decision of the Assembly recommending the Security Council to reconsider the particular cases in question. In the absence of such an assurance, the Canadian delegation considers that it would be futile to go through the process once again of expressing opinions on the eligibility of various applicants and unless the discussion brings out more points which we have missed in our consideration of the matter, we would be disposed to abstain from voting.

With regard to the proposal of the Belgian delegation for reference of certain points of law to the court, we should be disposed to support that resolution.

## X. Canadian Statement, November 10, 1947

### ADMISSION OF NEW MEMBERS

I should like to say a very few words to explain the vote which the Canadian delegation intends to cast on the resolution before us.

As I said in my statement last Friday, our delegation felt that it was somewhat futile to recommend the Security Council to reconsider applications for membership previously rejected in the Council, unless the permanent members would agree not to use their veto to prevent the admission of a state which had been approved by two-thirds of the General Assembly as having qualified under the conditions of Article 4, paragraph 1. In effect if I understand them correctly, four of the permanent members have said that they would waive their right of veto in the Security Council in the matter of admission of new members. This in the view of our delegation, is a significant step forward. In view of the statement of the Soviet delegate expressing willingness to consult with his colleagues on this matter, we can only hope that ultimately there will be unanimity between the permanent members on this point.

Our delegation believes that the Assembly is perfectly within its rights in expressing its opinion on the individual applications for membership and in making requests on recommendations to the Security Council. Of the various resolutions on individual applications which have been submitted, we believe that those submitted by Australia most correctly interpret the rights and duties of the Assembly under the Charter. In the absence of an assurance from all five of the permanent members that they will not exercise their veto, we still retain our doubts as to the usefulness of requesting the Security Council to reconsider individual applications. But we feel that an abstention on our part might be interpreted as meaning that our delegation is not in favour of the admission of the members

concerned. Our delegation is most definitely in favour of a favourable consideration of the applications covered by the Australian resolutions, viz., Eire, Finland, Italy, Portugal and Transjordan. In particular we would draw attention to what we regard as the completely unjustifiable grounds which have been advanced for the rejection of the application of Eire. On the other applications that have been rejected by the Council, we shall have an opportunity to make our position clear on these applications in the Security Council. We should also be glad to support the resolution of the representative of Belgium.

For reasons which I have stated already on a previous occasion our delegation will not be able to give support to the proposal of the delegation of Argentina, nor to the proposal of the delegation of Sweden. We will vote on the other resolutions before the Committee in accordance with the principles I stated the other day and those I have just stated.

## Y. Provisional Rules of Procedure Adopted on the Admission of New Members, November 21, 1947

### *New Rule 113*

Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall contain a declaration, made in a formal instrument, that it accepts the obligations contained in the Charter.

### *New Rule 114*

The Secretary-General shall send for information a copy of the application to the General Assembly, or to the Members of the United Nations if the General Assembly is not in session.

### *New Rule 116*

If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, the General Assembly may, after full consideration of the special report of the Security Council, send back the application to the Security Council, together with a full record of the discussion in the Assembly, for further consideration and recommendation or report.

### *New Rule 117*

The Secretary-General shall inform the applicant State of the decision of the General Assembly. If the application is proved, membership will become effective on the date on which the General Assembly takes its decision on the application.



## APPENDIX II

### A. Canadian Statement, September 29, 1947

#### WORK OF THE ECONOMIC AND SOCIAL COUNCIL

I wish to indicate briefly the steps which have been taken by the Canadian Government in regard to a number of questions which are mentioned in the report of the Secretary-General and which have been raised in this discussion.

At the last meeting of the Assembly, the Canadian delegation held strongly the view that the continuing problem of relief in war devastated areas should be accepted as an international responsibility. Canada therefore participated in the activities of the Technical Committee which was established to determine the extent to which relief was needed, and participated informally in meetings which were summoned by the Secretariat for the purpose of reviewing the problem. Finally, a decision was taken by the Canadian Government to grant \$20 million for the distribution of supplies in needy countries. Of this sum \$5 million has been allotted to the International Children's Emergency Fund, and I am glad to say that supplies of milk and fish and other products have already been made available for the purpose of this Fund. The Canadian supplies are also making their way to Italy, Austria and Greece. The total amount has not yet been allocated, and consideration is now being given to the additional measures which the Canadian Government can take for the relief of people who are in need. Except in the case of the International Children's Emergency Fund, no international machinery has existed for the distribution of these relief supplies and, for this reason, it has been difficult for us, in all cases, to arrange for distribution as quickly and in as satisfactory a manner as we would like. We are happy, however, to be able to report that to the extent of \$20 million worth of Canadian supplies, we have been able to respond to the appeal made a year ago for further contributions to international relief.

We have also played a part in the settlement of the refugee problem. The Canadian signature appears first amongst the signatory states to the constitution of the International Refugee Organization. The Canadian Parliament has since ratified that signature, and has made available the sum of approximately \$5,500,000 which is our contribution to this organization. We have, moreover, taken positive action to help find new homes for persons who are charges of this organization. Some reference has been made in these discussions to the movement of labourers to Canada. In this connection, I should like to make clear beyond all possibility of contradiction that no person has come to Canada except of his own free will. There is no means by which we can compel refugees to accept our hospitality, and we have no desire to have any men or women come to our shores except of their own choice. Moreover, we are fully aware of the shortage of labour which exists in eastern European countries. We have



not and shall not take any steps to discourage the repatriation to their places of origin of all persons who are willing to accept repatriation. If there are Ukrainians or other workers in displaced persons camps who will return freely to the fields and forests of eastern Europe, we earnestly hope that they will do so. Countries of origin are welcome to every refugee who will accept repatriation willingly, provided neither force nor guile are used to influence individual decisions.

I can go further, Mr. Chairman, and say that as far as Canada is concerned, residents of my country, either refugees or otherwise, are, under the laws of Canada, at perfect liberty to leave Canada tomorrow and to go and live in the Ukrainian Soviet Socialist Republic for instance, or in any other part of the world. Indeed, within the past two years, representatives in Canada of U.S.S.R. and of Yugoslavian interests have gone about freely on Canadian soil and gathered together groups of people of European origin whom they have led back to the U.S.S.R. or Yugoslavia. Not only have these persons been free to go, they have also been allowed to carry with them the resources, money, and machinery, which they had accumulated on Canadian territory. There has been some talk here, Mr. Chairman, of slavery in the forests of Canada. Will my Ukrainian colleague tell me that I could go freely into the Ukraine and ask people to emigrate to Canada; and even if I were permitted to organize such a migration, would the persons whom I persuaded to migrate be permitted to bring with them to my country whatever possessions they may have managed to accumulate in the Ukraine? Until my Ukrainian colleague can give me such assurances, he has little right to come here and talk of slavery in Canada. No refugee, of Ukrainian origin or otherwise, is enslaved in the forests of my country and anyone who doubts this fact is at liberty to go there and see for himself. I invite my Ukrainian colleague to do so and until he has made his observations, we should hear less in this Committee of slavery.

There has been some talk also about refugees being exploited in the labour market of Canada. Mr. Chairman, the labour conditions in my country are open to examination at any time. As far as refugees are concerned, they have been assured the right to work in Canada at prevailing rates of wages and under existing labour regulations. Those regulations are established in a free labour market in which free labour unions have the right to organize. In return for the assurance of employment, the refugees have in some cases entered into agreements to do work which has been offered them for stated periods of a short duration. It is nothing new in history for men to enter into agreements to undertake specified work in return for certain remuneration. Such agreements are a matter of everyday practice. They have the force only which the law gives to any contract amongst citizens. They do not impose a form of servitude nor do they establish inferior working conditions. I am sure that my Ukrainian colleague will not wish me to enter here upon a comparison, in terms of purchasing power or in terms of freedom of movement, of the conditions of labour of refugees in Canada and in other countries. I would, however, be quite happy to have such a comparison made.

It is a sad reflection, however, that the fortunes of these unhappy peoples should become the occasion for controversy in the United Nations. We regard them as genuine refugees, cast adrift by the flood of war which has overtaken their homelands, torn from their moorings, without hope

except as new homes can be found for them. We are not anxious to complicate the social and economic pattern of our own community by introducing more persons than we can take care of, but within our means we are endeavouring to respond to appeals which have been made on behalf of these refugees.

Another aspect of the work of the Economic and Social Council that I should like to mention is the subject of human rights which has been considered in the Human Rights Commission and in the Commission on the Status of Women. This is an important subject but it is one in which we cannot hope to make progress rapidly. We believe that there is great value in defining by international agreement as precisely as we possibly can the basic freedoms which the individual should enjoy within society. We are happy to participate in so far-reaching an undertaking, and in this connection I may say that the Parliament of Canada has this year established a special committee to give consideration to this question. During the session of Parliament which has recently ended, this committee met under the chairmanship of the Rt. Hon. J. L. Ilsley, Minister of Justice, who is a member of our delegation. It examined reports from a number of persons, including an official of the United Nations. The work of this special committee is an indication that we are seeking in Canada to give practical expression to our obligations under the Charter of the United Nations.

At the fourth session of the Economic and Social Council, approval was given to the establishment by the Commission on Human Rights of a Sub-commission on Freedom of Information and of the Press. This Sub-Commission was charged with two main functions:

(1) To examine what rights, obligations and practices should be included in the concept of freedom of information and to report to the commission was charged with two main functions:  
examination; and

(2) To prepare a draft annotated agenda and make proposals concerning preparations for the United Nations Conference on Freedom of Information.

As you well know, the Sub-commission considered that its most urgent duty was to plan for the Conference which has been proposed and to draw up recommendations concerning its agenda. At the fifth session of the Economic and Social Council and in pursuance of Resolution 59(1) of the General Assembly, the Council having considered the report of the Sub-commission on Freedom of Information and of the Press, adopted a resolution which set forth a provisional agenda for the Conference. The Canadian Delegation is satisfied that within the confines of the provisional agenda adopted by the Council for the world Conference on Freedom of Information and of the Press, sufficient scope is given for a full and forthright discussion of the principles which should govern the press in a truly democratic country. The people and the Government of Canada believe that freedom of information and freedom of the press are basic freedoms and are essential for the protection of other freedoms. It is the discussion of this question which is called for in the proposed agenda of the Conference. The delegation of the U.S.S.R. has put forward a resolution revising the agenda. It seems to me, however, that they are attempting to direct our attention to a different problem—that is, the reaction of the



press of the world to the issues which exist amongst the nations. We shall be discussing that question in connection with other items on the agenda. For our part, we think it important to protect the right of the press everywhere to discuss freely these issues in world affairs and we consider that the proposed agenda, which I may wish to refer to again, is a good basis for these discussions.

We have noted with interest the various resolutions which have been put forward, and wish to assure the members of the Committee that such resolutions, and all others which may be put forward, will receive careful study and consideration by the Canadian Delegation.

In Plenary Session of the Assembly the leader of the Canadian Delegation referred to the useful work which is being done by the Economic and Social Council. An examination of the report which is now before us, and of reports of its previous sessions, provide ample evidence that the Economic and Social Council has justified to a greater extent than any other United Nations agency, our continued faith in international co-operation. My country has given its full measure of support to the Economic and Social Council and to its related commissions and agencies. We have done so because of our profound conviction that security and economic well-being are two sides of the same coin, and because we believe that a valid basis for world peace can only be found in an extension of co-operation between all nations in their economic and social relations with one another.

## B. Canadian Statement, October 6, 1947

### ECONOMIC QUESTIONS

The Canadian Government believes that if the Economic and Social Council effectively discharges its obligations it will come to be regarded more and more as the most constructive single organ of the United Nations, (with the exception of course of the General Assembly itself). While we in no sense underestimate the supreme importance of the tasks for which the Security Council is responsible, these tasks are preventive rather than constructive—to prevent aggression and threats to the peace. The tasks of the Economic and Social Council, on the other hand, are essentially positive and constructive—to promote human well-being, high standards of living, and human progress generally. Of course the work of the Security Council is fundamental to any real and lasting progress. It is the main organ designed to prevent mankind from ever again slipping backward into conditions which provoke war. No lasting progress can be made towards bettering the lot of mankind if it is to be plagued with constantly recurring and ever more dreadful and cruel war. But if a basis of lasting and unquestioned peace can be established steady progress becomes possible. The Economic and Social Council has been given the function of pointing the way towards that progress, of helping mankind to move forward toward a fuller and richer life and toward the attainment of those larger human freedoms to which we all pledged ourselves in our Charter.

As we all know Article 24 of the Charter states explicitly that the Security Council in carrying out its duty for the maintenance of international peace and security acts on behalf of all the Members of the



United Nations. This principle I suggest applies with no less force to the Economic and Social Council in the exercise of its own powers in its own field. I think all my colleagues here will agree that the record of its work thus far shows that the members of the Council have approached its problems fully aware of this provision in the Charter and have considered themselves as trustees in a very real sense for all Members of the United Nations, whether represented on the Council or not.

The work of the Economic and Social Council while vitally important has not been of such a dramatic nature as to draw the full attention of the public and thereby have the benefit of an aroused public opinion. However, as the work of the Council progresses, its importance will more and more come to be recognized and will more and more win such support. It can hope to go forward steadily, for unlike the Security Council its rules of voting are not such that an obdurate minority can nullify any action which the majority may consider necessary and wise. When we examine the activities of the Economic and Social Council, we see a picture of work in progress. Admittedly there have been instances of disappointing and costly, if sometimes inevitable, delay; but happily there has been no suggestion of the frustration or stalemate. While there has as yet been little, in the way of completed achievements, a careful examination of the work in progress reveals developments that may prove profoundly significant in the gradual establishment of a truly successful international organization.

Because much of the Council's work thus far has necessarily been concerned with the preliminary problems of organization, progress has been slower than many hoped or expected. While this organizational period has not even yet been completed, during the past year particularly, real progress in problems of substance has admittedly been made.

The Council, with the assistance of its appropriate commissions and sub-commissions, has begun to seek the solution of many problems which have a direct bearing on the social well-being and economic stability of all nations. The forthcoming conference in Havana, to complete the establishment of an international trade organization, is one example of the important work sponsored by the Council. This specialized agency when established will be a landmark in the development of multilateralism—an achievement worthy of note in a world in which nationalism and the jealous protection of sovereignty and states' rights seem at the moment to be even on the increase, incredible as this may seem in the light of the experience of mankind since the fateful year 1914. Many difficulties certainly lie ahead but these in no way discourage us from hoping that the successful attainment of the important aims embodied in the draft charter of the I.T.O. may be prosecuted with energy and determination.

However, we should never lose sight of the fact that international action if it is to be successful in this field must be upheld by vigorous programs by each nation within its own borders to build up optimum production and by a willingness to accept payment from other nations in goods and services for its own surplus production.

During the past year the Council received and considered for the first time reports from the various functional commissions which it had set up in 1946. Some of these reports are, in the opinion of the Canadian delegation well thought-out and workman-like documents, on the basis

of which useful projects may be commenced, for example, the first reports of the Statistical and Population Commissions. We expect that the World Statistical Congress which convened in September will be most useful in its field. To date the actual accomplishments of other commissions have been somewhat disappointing to many who perhaps were too optimistic as to the possibility of speedy action in the international field. But this realization should not blind us to progress actually made. We have a right to expect that as the members of these commissions become more familiar with their tasks, more experienced at working together, their work will become increasingly useful. Great responsibilities have been placed by the Council on the Economic and Employment Commission with its two sub-commissions. In regard to this I would like to quote from the Report of the Economic and Social Council to the Assembly. I quote: "The Council at its fourth session considered the report of the first session of the Economic and Employment Commission and adopted a resolution on employment and economic development which embodied many of the points referred to above. The resolution requested the Economic and Employment Commission:

(a) To investigate and report, taking full account of the responsibilities of the specialized agencies and the intergovernmental organizations regarding the most appropriate forms of international action for facilitating the better utilization of world resources of manpower, materials, labour and capital in order to promote higher standards of living throughout the world, more particularly in undeveloped and under-developed areas.

(b) To initiate regular reports to the Council on world conditions and trends, giving particular attention to any factors that are preventing or are likely to prevent in the near future the maintenance of full employment and economic stability, together with analyses indicating the casual factors involved and recommendations as to desirable action; action; and

(c) To consider and report to the Council as early as practicable regarding the most appropriate forms of international action to maintain world full employment and economic stability . . .

I will not take time now to enumerate the preliminary steps already taken to pursue these objectives which are obviously of such far-reaching importance but I would like particularly to commend two of them:

(1) The Commission has expressed the intention of making a comprehensive review of world economic conditions and trends in the light of recommendations from its sub-commissions and to include in its report to Council its comments and recommendations.

(2) The Secretariat is expected to prepare, in co-operation with the specialized agencies, reports and analyses of current conditions and trends as it might find necessary and feasible in the light of changing world economic conditions for use at each meeting of the Council.

It seemed to me that the resolution of the Australian delegation in large measure endorsed these steps and the Canadian delegation also heartily endorses them as a prerequisite of effective action by the Economic and Social Council to carry out its great objectives.



In our task of co-ordinating international economic and social planning and activity, agreements bringing important international agencies into formal relationship with the United Nations constitute an essential preliminary step. We welcome the progress the Economic and Social Council has made in this regard. The Council has recommended for approval since its inception eleven agreements with specialized agencies.

As direct operating responsibilities in many functional fields of international society are undertaken by these various specialized agencies, some of which are new and some of which are yet to be formed, tasks of international co-ordination will inevitably become more important. The Canadian Government feels that primary responsibility for successful co-ordination must inevitably lie with each member government. Consistency begins at home. Representatives of states meeting in many parts of the world as delegates to different organizations, must be so instructed by their governments that they speak with consistent voices and do not contradict in one body what they say in another. This consistency is not always easy to attain. It alone, however, can provide the degree of co-ordination necessary to prevent inefficient and expensive overlapping of work.

Canadians subscribe to the belief that prosperity, like peace, is indivisible. The truth of this has again been brought home to us by our present position. By some economic criteria Canadians are fortunate. Our people by energetic efforts have been able to maintain our standard of living, and at the same time to grant substantial amounts of relief to countries devastated by war. We have been able to extend large credits to western European and other countries to enable them to obtain food and supplies from Canada. Production and employment are at high levels; external trade is at its highest peacetime level. But in spite of this, we, in common with so many other countries, have a serious exchange problem. It arises from the heavy deficit that cannot be covered today as it was in the past mainly by the surplus in our trade with the rest of the world. These countries cannot now, as they could in the past, furnish us with the exchange to make good this deficit. Unless Europe again becomes prosperous, our present high level of prosperity, so largely dependent on trade, cannot last.

We must then, having in mind both the good of our world neighbours and that of our own country, welcome the constructive approach of the Marshall Plan, as we understand it. It seems to us to hold out the promise of a multilateral solution of the economic problems of Europe, to offer the hope of correcting the unbalance in the commercial relations of many countries, including our own, and, in solving the problems of some, of solving the problems of all.

We are indeed like mountain climbers. We are roped together by economic ties. But economic ties cannot be cut like a rope. We cannot, even if we were so inhuman as to be willing to do so, drop into the abyss the climbers who have momentarily lost their footing. The economic ties of this hemisphere with Europe, cannot be severed. We must rise together or we shall fall together.

In regard to the resolution introduced by Poland, the Canadian delegation endorses the general principle of the economic interdependence of European countries. Indeed we would go further and emphasize the economic interdependence of all countries if the highest possible measure



of development and well-being is to be attained. My delegation also endorses the desirability of international action preferably through the United Nations. But this does not mean that the veto or refusal to co-operate by any nation or group of nations can be permitted to prevent other nations or group of nations from promoting the principles, ideals and objectives of the Charter. The peoples of the world who are ready to co-operate are determined that they will not be thwarted by opposition or non-co-operation from any one nation or group of nations, whether by the use of the veto or otherwise. They will have action. Again I say that the Canadian delegation would prefer to see such action taken within the United Nations. But, we think it is better to have action outside the framework of the United Nations than to have no action at all. The resources of the world if intelligently developed, utilized and distributed, are sufficient to banish much of the privation and misery now prevailing in so many parts of the world. In this field we can work together and we intend to work together.

### C. Resolution of the Assembly, October 31, 1947

#### REPORTS ON WORLD ECONOMIC CONDITIONS AND TRENDS

##### *The General Assembly*

1. *Notes with approval* that the Economic and Social Council has made arrangements for the initiation of regular reports to the Council on world economic conditions and trends;

##### 2. *Recommends to the Council*

(a) That it consider a survey of current world economic conditions and trends annually, and at such other intervals as it considers necessary, in the light of its responsibility under Article 55 of the Charter to promote the solution of international economic problems, higher standards of living, full employment and conditions of economic and social progress and development,

(b) That such consideration include an analysis of the major dislocations of needs and supplies in the world economy,

(c) That it make recommendations as to the appropriate measures to be taken by the General Assembly, the Members of the United Nations and the specialized agencies concerned;

3. *Requests* the Secretary-General to assist the Council and its subsidiary organs by providing factual surveys and analyses of world economic conditions and trends.

## D. Resolution of the Assembly, October 31, 1947

### STUDY OF FACTORS BEARING UPON THE ESTABLISHMENT OF AN ECONOMIC COMMISSION FOR THE MIDDLE EAST

*The General Assembly,*

1. *Considering* the interest of the United Nations in problems relating to the economic development of all under-developed regions;

2. *Taking note* of the resolution adopted by the Economic and Social Council during its fifth session requesting the Economic and Employment Commission to study the general problems connected with the establishment of regional commissions as a means to promote the aims and purposes of the United Nations;

3. *Taking note* with satisfaction of the decision by the Council at that session to establish an *ad hoc* Committee for the purpose of studying the factors bearing upon the establishment of an economic commission for Latin America;

4. *Taking note* of the general favourable reception given to the proposal for an economic commission for Latin America by the Second Committee;

5. *Recognizing* that co-operative measures among all the countries of the Middle East can be of practical assistance in raising both the level of economic activity and the standard of life in the Middle East and in strengthening the economic relations of these countries both among themselves and with other countries of the world, and that such measures would be facilitated by close co-operation with the United Nations and its subsidiary organs as well as with regional organizations in the Middle East such as the Arab League;

6. *Invites* the Economic and Social Council to study the factors bearing upon the establishment of an Economic Commission for the Middle East.

## E. Canadian Statement, October 3, 1947

### SOCIAL WELFARE SERVICES

The Canadian delegation has considered the resolution presented to this Committee by the delegation of the United Kingdom most carefully and shares with that delegation the opinion that the transfer to the United Nations of the advisory welfare functions of UNRRA has served a valuable and constructive purpose in meeting urgent and important emergency needs in the field of social welfare.

The Secretariat have presented us with a report on the functions performed up to the present and have indicated the programme of work for the remaining part of this year. We have been pleased to note that the recommendations set forth in Resolution 58 (1) of December 14, 1946, have been implemented and that the scope of the work has been



not only widespread, but of a character which should do much to eliminate misapprehensions, fears and doubts that the United Nations is not able to carry out an effective programme of work in the field of social welfare. As a representative of a country which has recently welcomed two fellows under the fellowship scheme, we are not lacking in sympathy towards the programme as carried forth during the past year.

UNRRA had established an efficient organization in the field of social welfare and it would have been obviously wasteful to abandon and ignore the preliminary work done by that organization. Consequently the Canadian view was that it would be useful to have the United Nations carry on in this field of endeavour for a limited period of time. However, I do not think it necessary to contemplate the continuation of this plan indefinitely, or indeed beyond another year or two. The programme is of an emergency character; its scope and functions should be subject to review. However, we feel that at the present time it should be continued on a scale and at a cost no greater than last year.

The Canadian delegation, therefore, would be in favour of its continuance, providing it is clearly understood that it is not to become in its present form a permanent feature of the work of the Social Division of the United Nations.

## F. Resolution of the Assembly, November 17, 1947

### EXCHANGE OF WORKERS

*The General Assembly,*

*Having examined* Chapter III of the report of the Economic and Social Council;

*Considering* that among the functions of the Economic and Social Council is that of developing international co-operation "with respect to economic, social, cultural and educational matters";

*Considering* that such international co-operation must be based on a better mutual understanding among peoples;

*Considering* that the proper method of achieving such understanding is to increase direct contacts between the various elements of the populations of all countries; and

*Considering* that workers too often lack means of learning about technical and social experiments which are being carried out in foreign countries;

*Urges* those Members which are agreeable to arrange with each other, by direct agreement, such terms and conditions as will facilitate the maximum possible exchange of workers wishing to take a period of training in order to improve their knowledge of their trade and to study on the spot the economic and social problems confronting their comrades in other countries.



## G. Canadian Statement, October 28, 1947

### PREVENTION OF FALSE OR DISTORTED REPORTS

Since the beginning of this debate, we had intended to move a proposal analogous to the one moved by the delegate of Guatemala. We felt, however, that we should avoid embarking on a second discussion of the same point. In the First Committee the representative of Canada has expressed our point of view on tendentious reports and war propaganda.

Our delegation represents a country in which the freedom of the press and freedom of speech are fundamental. We would therefore refuse to accept any proposal which would ask the Government to judge and punish its people for the views they have expressed. The remedy, to our mind, is not to impose restrictions but to guarantee the right to reply to falsehood by truth.

I was not impressed by the interpretation imagined by the delegate from the U.S.S.R. According to the delegates from the Soviet and the Ukraine (and I do not wish to offend them as I certainly have nothing against their people), their country alone is in possession of virtue and only they enjoy true freedom of speech.

In a free press all sorts of quotations can be chosen and it is just because of this that the delegate from the Ukraine could find opinions championing his cause. But the same press could produce arguments to the contrary which would have destroyed all the points which he made.

The delegate from Belgium raised the question as to how you define what is false and tendentious. Despite the efforts of the delegate of Poland, I was not convinced by his explanation nor could I follow the explanation of the delegate from the Ukraine. Some people have complained here that certain newspapers have misrepresented their statements or have not given them enough space. This is admittedly one of the drawbacks in a country where there is freedom of the press. We feel, however, that the disadvantages are more than outweighed by the advantages.

We feel that the broadest possible discussion will take place on this whole question at the Conference on the Freedom of the Press. Competent delegates will attend that Conference and the agenda is such that all these matters may be discussed fully at that time.

I should like to give my full support to the resolution that was passed yesterday in the First Committee. I shall vote against the Yugoslav resolution which is before us—I am sorry that it was not withdrawn. When the French resolution and various amendments come up for discussion we will give them our consideration.

## H. Resolution of the Assembly, November 15, 1947

### FALSE OR DISTORTED REPORTS

#### *The General Assembly,*

*Considering* that, under Article 1 of the Charter, Members are bound to develop friendly relations amongst themselves and to achieve international co-operation in promoting and encouraging respect for human rights and fundamental liberties;

*Considering* that to attain this end it is essential to facilitate and increase the diffusion in all countries of information calculated to strengthen mutual understanding and ensure friendly relations between the peoples;

*Considering* that substantial progress in this sphere can be achieved only if measures are taken to combat, within the limits of constitutional procedures, the publication of false or distorted reports likely to injure friendly relations between States,

*Invites* the Governments of Member States

1. To study such measures as might with advantage be taken on the national plane to combat, within the limits of constitutional procedures, the diffusion of false or distorted reports likely to injure friendly relations between States;

2. To submit reports on this subject to the Conference on Freedom of Information so as to provide the Conference with the data it requires to enable it to start its work immediately on a concrete basis;

*Recommends* to the Conference on Freedom of Information that it study, with a view to their co-ordination, the measures taken or advocated in this connection by the various States, as being relevant to the discussion of items 2(d) and 5 (c) of section II of its provisional agenda.

## I. Resolution of the Assembly, November 17, 1947

### TRADE UNION RIGHTS

#### *The General Assembly*

*Taking note* of resolution 52 (iv) adopted by the Economic and Social Council at its fourth session, whereby it was decided to transmit the views of the World Federation of Trade Unions and the American Federation of Labor on "Guarantees for the Exercise and Development of Trade Union Rights" to the Commission on Human Rights, "in order that it may consider those aspects of the subject which might appropriately form part of the bill or declaration on human rights",

*Taking note* also of resolution 84 (v) adopted by the Council at its fifth session, whereby it was decided to transmit to the General Assembly of the United Nations the report of the International Labour Organization entitled "Decisions concerning freedom of association adopted unanimously by the thirtieth session of the International Labour Conference on 11 July, 1947", to recognize the principles proclaimed by the International Labour Conference and to request the International Labour Organization to continue its efforts in order that one or several international conventions may be adopted,

*Approves* these two resolutions;

*Considers* that the inalienable right of trade union freedom of association is, as well as other social safeguards, essential to the improvement of the standard of living of workers and to their economic well-being,



*Declares* that it endorses the principles proclaimed by the International Labour Conference in respect of trade union rights as well as the principles the importance of which to labour has already been recognized and which are mentioned in the Constitution of the International Labour Organization and in the Declaration of Philadelphia and in particular sub-section (a) of Section II and sub-sections (a) to (j) inclusive of Section III which are given in the Annex to this Resolution;

*Decides* to transmit the report of the International Labour Organization to the Commission on Human Rights with the same objects as those stated in resolution 52 (IV) of the Economic and Social Council; and

*Recommends* to the International Labour Organization on its tripartite basis to pursue urgently, in collaboration with the United Nations and in conformity with the resolution of the International Labour Conference concerning international machinery for safeguarding trade union rights and freedom of association, the study of the control of their practical application.

#### ANNEX

- (a) Full employment and the raising of standards of living;
- (b) The employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being;
- (c) The provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement;
- (d) Policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection;
- (e) The effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures;
- (f) The extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care;
- (g) Adequate protection for the life and health of workers in all occupations;
- (h) Provision for child welfare and maternity protection;
- (i) The provision of adequate nutrition, housing and facilities for recreation and culture;
- (j) The assurance of equality of educational and vocational opportunities.



## J. Resolution of the Assembly, November 17, 1947

### THE PREVENTION OF IMMIGRATION LIKELY TO DISTURB FRIENDLY RELATIONS BETWEEN NATIONS

#### *The General Assembly*

*Having noted* that its resolutions of 8 (I) of February 12 and 62 (I) of December 15, 1946, on the question of refugees, and its resolution 103 (I) of November 19, 1946, condemning racial and religious discrimination, have not been fully implemented, and that hundreds of thousands of victims of aggression remain in displaced persons camps;

*Recalling* that one of the principles of the International Refugee Organization is that it "should exercise special care in cases in which the re-establishment or resettlement of refugees or displaced persons might be contemplated, either in countries contiguous to their respective countries of origin or in non-self-governing countries. The organization should give due weight, among other factors, to any evidence of genuine apprehension and concern felt in regard to such plans, in the former case, by the country of origin of the persons involved, or, in the latter case, by the indigenous population of the non-self-governing country in question";

*Invites* the Member States to implement the General Assembly resolution of 19 November 1946;

*Reaffirms* its position that the main task concerning displaced persons is to encourage and assist in every possible way their early return to their countries of origin, in accordance with the General Assembly resolution of 12 February 1946, and that no obstacles be placed in the way of the early fulfilment of this task;

*Invites* the Member States not to accord aid and protection to individuals or organizations which are engaged in the promoting or operating of illegal immigration, or in activities designed to promote illegal immigration;

*Recommends* each Member of the United Nations to adopt urgent measures for the early return of the repatriable refugees and displaced persons to their countries of origin, having regard to the General Assembly resolution of 12 February, 1946, and for settling a fair share of the non-repatriable refugees and displaced persons in its country; to inform the Secretary-General without delay of the results of the consideration it has given, in implementation of Resolution 62 (I) of the General Assembly, paragraph (e), to receiving, in conformity with the principles of the International Refugee Organization, its fair share of non-repatriable persons; and to collaborate with other nations, for instance through the International Refugee Organization or its Preparatory Commission, in the development of over-all plans to accomplish this end;

*Requests* the Secretary-General to submit, in collaboration with the Director-General of the International Refugee Organization, or the Executive Secretary of its Preparatory Commission, a report on the progress and prospect of repatriation, resettlement and immigration of the refugees and displaced persons, for consideration by the Economic and Social Council at its seventh session.

## K. (1) Resolution of the Assembly, November 17, 1947

### TEACHING OF THE PURPOSES AND PRINCIPLES, THE STRUCTURE AND ACTIVITIES OF THE UNITED NATIONS IN THE SCHOOLS OF MEMBER STATES

*The General Assembly,*

*Considering* that knowledge and understanding of the aims and activities of the United Nations are essential in promoting and assuring general interest in, and popular support of, its work;

*Recommends* to all Member Governments that they take measures at the earliest possible date to encourage the teaching of the United Nations Charter and the purposes, principles, structure, background and activities of the United Nations in the schools and institutes of higher learning of their countries, with particular emphasis on such instruction in elementary and secondary schools;

*Requests* the Secretary-General and UNESCO, in full consultation with one another and within the limits of their capacity, to furnish Member Governments upon request with advice and assistance in the implementation of this programme;

*Requests* Member States to furnish the Secretary-General with information as to the measures which have been taken to implement this recommendation, such information to be presented in the form of a report to the Economic and Social Council by the Secretary-General in consultation with, and with the assistance of UNESCO.

## (2) Canadian Statement, November 10, 1947

### TEACHING OF THE PRINCIPLES OF THE UNITED NATIONS CHARTER

I would like to state the position of my delegation in connection with this proposal. It recommends the teaching of the purposes and principles, the structure and activities of the United Nations in the schools of Member States, with particular emphasis on such instruction in elementary and secondary schools.

In Canada, under our system of confederation, there is a federal government and nine provincial legislative assemblies. By our constitution, the government of each province has complete and exclusive jurisdiction and control over educational matters.



Therefore, everyone will understand that my Government could not, if this proposal is adopted, take measures to encourage the teaching of the United Nations Charter, etc. in the schools of Canada.

We will refrain from expressing our opinion on the merits of the proposal. If it is adopted, my Government will gladly transmit the recommendation to the proper authorities in each of our nine provincial governments. As it is for them, and for them only, to decide what to do, as far as its implementation is concerned, my Government will gladly communicate to the Secretary-General whatever information our provincial governments will care to send in as to the measures or steps, if any, taken by them to implement the recommendation. The contribution of my Government would necessarily be confined to acting as correspondent between the Secretary-General and the competent authorities over educational matters in Canada, namely, our nine provincial governments.

I am sure that the honourable delegate of Norway, who introduced the proposal, and other members of this Committee will understand and appreciate the scrupulous respect which my Government entertains towards provincial rights.

It has been suggested that the proposal be amended by adding such words as: "Within the framework of their constitution". We do not think that an amendment of this form would change our position. We contend that such an amendment is unnecessary because anything that we do here must be, and it cannot be otherwise, within the framework of our respective constitutions. This view has already been expressed by the head of our delegation in the First Committee.

We feel, sir, that the proper course for us to follow is to abstain on the Norwegian proposal and amendments to it.

### (3) Canadian Statement, November 17, 1947

#### THE TEACHING OF THE PRINCIPLES OF THE UNITED NATIONS

When this subject was under discussion in the Third Committee, the Canadian delegation considered it necessary to make clear the constitutional position in Canada in regard to the control and administration of educational matters, and because of the limitations which exist upon the federal authorities in regard to education, we thought it proper at that time to abstain.

We should be sorry, however, if our action in this regard were interpreted as indicating any unwillingness on the part of the Canadian Government to take any possible action for the purpose of making known in Canada the principles of the United Nations Charter. The Canadian Government each year makes a contribution towards the support of the United Nations Association in Canada and the Department of External Affairs has made a practice of publishing and distributing widely documents which give an account of the work of the United Nations. In this and many other ways the Canadian Government is endeavouring to present the United Nations to the people of Canada.

The Norwegian resolution received very wide support in the Third Committee. The amendment proposed by the delegation of Cuba elabor-



ates the last paragraph of the resolution contained in the report of the Third Committee by requesting the Secretary-General and UNESCO to furnish all possible assistance that may be asked for and requesting Member States to advise the Secretary-General of measures taken in this regard.

The Canadian delegation is, however, of the opinion that as other speakers have pointed out, the task of furnishing advice and assistance in the implementation of such a programme is more properly the function of UNESCO than of the Secretary-General. We are therefore prepared to oppose the third paragraph of the amendment of the delegation of Cuba but are prepared to support the final paragraph of this amendment.

Since by our absention on the vote in the Third Committee we have drawn our constitutional position to the attention of other delegations, the Canadian delegation wishes to give its support now in plenary session to the principles contained in this resolution because of our desire, so far as our constitutional system permits, to fulfil the purposes we are seeking to achieve.

## APPENDIX III

### A. Canadian Statement, October 8, 1947

#### QUESTION OF SOUTH WEST AFRICA

Mr. Chairman, since we shall vote shortly upon the resolutions now before the committee, I desire to make clear the position of the Canadian delegation on this subject.

In the debate which has taken place on this matter in this committee, learned and interesting opinions have been offered over the question of the Union of South Africa having failed to honour an obligation to place the territory of South West Africa under the trusteeship system. It is the opinion of my delegation, Mr. Chairman, that there is absolutely no question of the Government of the Union of South Africa being under any legal obligation, either now or in the past, to submit the territory of South West Africa to inclusion within the trusteeship system. I do not see how any other conclusion can be drawn from the discussion on this subject which took place in San Francisco and the decision which was reached there.

I should like to draw your attention to these discussions, held at San Francisco in Committee Four of Commission Two during May, 1945. It was in this committee that the various delegations resolved their differences over what classes of territory should be placed under the trusteeship system and under what condition such agreements should be governed. The discussion over what territories should be placed under the trusteeship system, which occurred in the eighth meeting of the committee on 22 May, 1945, centred in general around paragraph B3 of document 323, the paragraph which was the original blueprint for the present Article 77 of the Charter. In particular, the crux of the discussion was whether or not to include an amendment proposed by the Egyptian delegate which would have substituted for the present initial paragraph of Article 77 which reads, "The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements, (a) territories now held under mandate," the words "The trusteeship system shall apply to *all* territories now held under mandate". I should like to emphasize the word "all" in this context.

There was a good deal of debate over this amendment: it occupied the whole of one meeting and some thirty pages of verbatim records. But the remarks made by the various delegates at the time, and the outcome of the issue, left no doubt as to what was intended and, therefore, as to what should guide us in our present discussions. I should like to quote from the remark of the Australian delegate in these discussions. He summed up the matter very concisely: "The assumption is that there is an identity between the terms of the mandate and the terms of this trusteeship system, but there is not. In many respects the terms of this



trusteeship system differ from the terms of the mandate. As members of the committee know, there are three classes of mandates, A class, B class and C class, and in some important respects the trusteeship system is not the same as the mandate system . . . I do not think it is a question of voluntary action or compulsory action so much as a broad difference in approach to what is the practical question . . . but I want to emphasize a point at this stage that there are differences of substantial import between the trusteeship system which is now being erected as a framework and the mandate system . . . we cannot alter the mandatory system. The only body that could possibly have altered it, and I don't think it was ever really conceded, would be the League, and that illustrates the difficulty we are in in this problem . . . it is not a question, therefore, of merely continuing the mandates. That cannot be done under this and, therefore, comes in relation to the mandates preserving the same right or concept that you are preserving for other classes to be put under this trusteeship system. The mandate system is a trusteeship system but it differs in important respects from this system and therefore . . . you cannot as an act of an organization such as this alter the existing terms of these mandate without the authority of the person carrying out the trust."

The outcome of this debate was that the Egyptian motion was lost on a vote of 6 to 20. The word "all" was removed, and the original paragraph B3 of document 323 became Article 77 of the Charter, and, consequently, I submit that in the light of this my honourable friend from China should reconsider his argument of yesterday when he claimed that all mandated territories must be placed under the trusteeship system.

With this clarification of the main issue to hand, I cannot help feeling that the resolution proposed by the honourable delegate from Denmark is more in keeping with the constitutional position whose foundation was laid so firmly in May, 1945, and to which by signing the Charter of the United Nations, we have all subscribed. Furthermore, on the basis of this position, there can be no validity for the inclusion of paragraph 6 in the Indian resolution, nor for the inclusion in the same resolution of the recommendation that the Union of South Africa submit a trusteeship agreement for South West Africa by this time next year.

Therefore, Mr. Chairman, although I would regret that the circumstances are such that the Union of South Africa has not seen fit to accept the invitation of the General Assembly of the United Nations, I should like, in supporting the Danish resolution, to express the hope that the Government of the Union will give this weighty matter further consideration, and, that as a result, it may be able to reconsider its initial judgment.

## B. Resolution of the Assembly, November 1, 1947

### QUESTION OF SOUTH WEST AFRICA

*Whereas*, in its resolution dated 9th February, 1946, the General Assembly invited all States administering territories then held under mandate to submit Trusteeship agreements for approval;

*Whereas*, in its resolution dated 14th December 1946, the General Assembly recommended, for reasons given therein, that the mandated territory of South West Africa be placed under the International Trustee-



ship System and invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a trusteeship agreement for the aforesaid territory;

*Whereas* the Government of the Union of South Africa has not carried out the aforesaid recommendations of the United Nations;

*Whereas* it is a fact that all other States administering territories previously held under mandate have placed these territories under the Trusteeship System or offered them independence;

*Whereas* the Government of the Union of South Africa in a letter of 23 July, 1947, informed the United Nations that it has decided not to proceed with the incorporation of South West Africa in the Union but to maintain the *status quo* and to continue to administer the territory in the spirit of the existing mandate, and that the Union Government has undertaken to submit reports on its administration for the information of the United Nations:

*The General Assembly, therefore,*

*Takes note* of the decision of the Government of the Union of South Africa not to proceed with the incorporation of South West Africa;

*Firmly maintains* its recommendation that South West Africa be placed under the Trusteeship System;

*Urges* the Government of the Union of South Africa to propose for the consideration of the General Assembly a Trusteeship agreement for the territory of South West Africa and expresses the hope that the Union Government may find it possible to do so in time to enable the General Assembly to consider the agreement at its Third Session.

*Authorizes* the Trusteeship Council in the meantime to examine the report on South West Africa recently submitted by the Government of the Union of South Africa, and to submit its observations thereon to the General Assembly.

## APPENDIX IV

### A. Resolution of the Assembly, November 15, 1947

#### COMPOSITION OF THE SECRETARIAT AND THE PRINCIPLE OF GEOGRAPHICAL DISTRIBUTION

*Whereas* it is desirable to attain a balanced geographical distribution in the composition of the Secretariat, thus improving the present distribution, which results from unavoidable difficulties encountered in the initial stages of organization;

*Whereas* the above consideration does not conflict with the paramount consideration of employment of the staff, as laid down in Article 101, paragraph 3 of the Charter, namely, the necessity of securing the highest standard of efficiency, competence and integrity;

*Whereas*, in view of its international character and in order to avoid undue predominance of national practices, the policies and administrative methods of the Secretariat should reflect, and profit to the highest degree from, assets of the various cultures and the technical competence of all Member nations:

*The General Assembly,*

1. *Reaffirms* the principle of securing the highest standard of efficiency, competence and integrity in the staff of the Secretariat, as well as the importance of recruiting the staff on as wide a geographical basis as possible; and

2. *Requests* the Secretary-General:

- (a) To examine the recruitment policy that has been followed to date with a view to improving the present geographical distribution of the posts within the various Departments;
- (b) To take, as soon as possible, the necessary steps with a view to engaging staff members from those countries which have not yet any of their nationals in the Secretariat;
- (c) To review, in accordance with the recommendations of the Advisory Committee on Administrative and Budgetary Questions, the qualifications, background and experience of the present members of the staff, with a view to replacing those who do not reach the high standards fixed by the Charter;
- (d) To take all practicable steps to ensure the improvement of the present geographical distribution of staff, including the issuance of such rules and regulations as may be necessary to comply with the principles of the Charter as elaborated in this resolution;
- (e) To present to the next regular session of the General Assembly a report of the action taken under this resolution.



## B. Canadian Statement, October 13, 1947

### ESTIMATES FOR THE DEPARTMENT OF PUBLIC INFORMATION AND THE INFORMATION CORRESPONDENT CENTRES

The delegation of Canada desires to record its belief in the importance of providing clear, factual and objective information as a means of achieving the aims of the United Nations set forth in the Preamble of our Charter.

The delegation of Canada feels that the Department of Public Information of the United Nations is the main medium of the Secretariat (and, hence, of the organization itself) for the provision of this information. It is also our view that the Fifth Committee of the General Assembly is the substantive committee which has the responsibility of examining the policies, practices and administration of the Department of Public Information.

With these principles in mind, the Canadian delegation wishes to emphasize the importance of maintaining as careful a check as possible on the degree to which the information materials provided by the Department of Public Information and the Correspondent Centres are in fact used throughout the world.

The budget estimates make provision for the dissemination of a great deal of material in the form of publications, documentary films and radio broadcasting programmes. We do not dispute the necessity or the value of such information material being made available on a world-wide basis. We do, however, agree with the idea stated in paragraph 162 of the Advisory Committee's report, that it is possible to spend an almost unlimited amount in the field of information; and that it is desirable for us to determine at this stage how much should be done and how much money should be set aside for information programmes. Unless systematic reports are received as to the extent to which such information material is used for informing world opinion, a great deal of our United Nations information programme must be considered to some extent as "a shot in the dark".

I am sure that the necessity for determining the extent to which this material is being used effectively has not been overlooked by the Department of Public Information. The Assistant Secretary-General in charge of the Department may be in a position to make useful comments in this connection. He might tell us the extent to which his Department has developed methods for co-operating with press, film and radio services within Member States. Not only this delegation, but many representatives, would be glad to hear the Assistant Secretary-General for Public Information on this subject.

In addition, we recommend that the Secretary-General should make an annual survey and then report on the use which is being made of material produced by the Department of Public Information. Only in this way will it be possible to formulate an efficient information programme with a view to priorities and thus to decide on the appropriate size and



character of the United Nations information establishments throughout the world. Such a survey would provide a realistic basis for future information budgets of the United Nations.

Essentially, this boils down to the simple fact that we must not only provide information facilities, but must also ensure that these facilities are being employed to the fullest possible advantage.

The recommendation which we make to the Secretary-General obviously involves both the Department of Public Information and the overseas Correspondent Centres themselves. In regard to these centres, our view is that their effectiveness will depend on the extent to which coverage is obtained in the countries concerned. We have noted that the Advisory Committee felt that in certain respects, the original programme was premature and that it has accordingly recommended that the estimates for this section be reduced from \$855,102 to \$600,000. We agree with the Advisory Committee that it would be inadvisable to open additional information centres before the needs in each country had been ascertained and that these information centres should be established, in the first instance, on a minimum basis and expanded only in the light of proved needs.

To sum up, Mr. Chairman, the Canadian delegation urges upon the Secretary-General that he review annually the use which is being made throughout the world of the information material provided by the United Nations. We hope that the Secretary-General will be in a position to report on this subject to the third regular session of the General Assembly. With such information available Members of that Assembly will then be able to assess more accurately the character and size of the information programme required and the resulting budget estimates.

In making these suggestions the Canadian delegation has been guided by the view that the success of the United Nations will depend not only on its practical achievements, but also on the degree to which its purposes and performances are understood and supported by an informed public opinion within each member state.

## APPENDIX V

### A. Statute of the International Law Commission

#### *Article 1*

1. The International Law Commission shall have for its object the promotion of the progressive development of international law and its codification.

2. The Commission shall concern itself primarily with public international law, but is not precluded from entering the field of private international law.

#### CHAPTER I. ORGANIZATION OF THE INTERNATIONAL LAW COMMISSION

#### *Article 2*

1. The Commission shall consist of fifteen members who shall be persons of recognized competence in international law.

2. No two members of the Commission shall be nationals of the same State.

3. In case of dual nationality a candidate shall be deemed to be a national of the State in which he ordinarily exercises civil and political rights.

#### *Article 3*

The members of the Commission shall be elected by the General Assembly from a list of candidates nominated by the Governments of Members of the United Nations.

#### *Article 4*

Each Member may nominate for election not more than four candidates, of whom two may be nationals of the nominating State and two nationals of other States.

#### *Article 5*

The names of the candidates shall be submitted in writing by the Governments to the Secretary-General by the first of June of the year in which an election is held, provided that a Government may in exceptional circumstances substitute for a candidate whom it has nominated before the first of June another candidate whom it shall name not later than thirty days before the opening of the General Assembly.

*Article 6*

The Secretary-General shall as soon as possible communicate to the Governments of Members the names submitted, as well as any statements of qualifications of candidates that may have been submitted by the nominating Governments.

*Article 7*

The Secretary-General shall prepare the list referred to in Article 3 above, comprising in alphabetical order the names of all the candidates duly nominated, and shall submit this list to the General Assembly for the purposes of the election.

*Article 8*

At the election the electors shall bear in mind that the persons to be elected to the Commission should individually possess the qualifications required and that in the Commission as a whole representation of the main forms of civilization and of the principal legal systems of the world should be assured.

*Article 9*

1. The fifteen candidates who obtained the greatest number of votes and not less than a majority of the votes of the Members present and voting shall be elected.

2. In the event of more than one national of the same State obtaining a sufficient number of votes for election the one who obtains the greatest number of votes shall be elected and if the votes are equally divided the elder or eldest candidate shall be elected.

*Article 10*

The members of the Commission shall be elected for three years. They shall be eligible for re-election.

*Article 11*

In the case of a casual vacancy, the Commission itself shall fill the vacancy having due regard to the provisions contained in Articles 2 and 8 of this Statute.

*Article 12*

The Commission shall sit at the headquarters of the United Nations. The Commission shall, however, have the right to hold meetings at other places after consultation with the Secretary-General.

*Article 13*

Members of the Commission shall be paid travel expenses and shall also receive a per diem allowance at the same rate as the allowance paid to members of commissions of experts of the Economic and Social Council.

*Article 14*

The Secretary-General shall, so far as he is able, make available staff and facilities required by the Commission to fulfil its task.



## CHAPTER II. FUNCTIONS OF THE INTERNATIONAL LAW COMMISSION

*Article 15*

In the following articles the expression "progressive development of international law" is used for convenience as meaning the preparation of draft conventions on subjects which have not yet been regulated by international law or in regard to which the law has not yet been sufficiently developed in the practice of States. Similarly, the expression "codification of international law" is used for convenience as meaning the more precise formulation and systematization of rules of international law in fields where there already has been extensive state practice, precedent and doctrine.

## A. PROGRESSIVE DEVELOPMENT OF INTERNATIONAL LAW

*Article 16*

When the General Assembly refers to the Commission a proposal for the progressive development of international law, the Commission shall follow a procedure on the following lines:

- (a) The Commission shall appoint one of its members to be Rapporteur;
- (b) The Commission shall formulate a plan of work;
- (c) The Commission shall circulate a questionnaire to the Governments, and shall invite them to supply within a fixed period of time data and information relevant to items included in the plan of work;
- (d) The Commission may appoint some of its members to work with the Rapporteur on the preparation of drafts pending receipt of replies to this questionnaire;
- (e) The Commission may consult with scientific institutions and individual experts; these experts need not necessarily be nationals of Members of the United Nations. The Secretary-General will provide, when necessary and within the limits of the budget, for the expenses of these consultations of experts;
- (f) The Commission shall consider the drafts proposed by the Rapporteur;
- (g) When the Commission considers a draft to be satisfactory, it shall request the Secretary-General to issue it as a Commission document. The Secretariat shall give all necessary publicity to this document which shall be accompanied by such explanations and supporting material as the Commission considers appropriate. The publication shall include any information supplied to the Commission in reply to the questionnaire referred to in subparagraph (c) above;
- (h) The Commission shall invite the Governments to submit their comments on this document within a reasonable time;

- (i) The Rapporteur and the members appointed for that purpose shall reconsider the draft taking into consideration these comments and shall prepare a final draft and explanatory report which they shall submit for consideration and adoption by the Commission;
- (j) The Commission shall submit the draft so adopted with its recommendations through the Secretary-General to the General Assembly.

### *Article 17*

1. The Commission shall also consider proposals and draft multi-lateral conventions submitted by Members of the United Nations, the principal organs of the United Nations other than the General Assembly, specialized agencies, or official bodies established by inter-governmental agreement to encourage the progressive development of international law and its codification, and transmitted to it by the Secretary-General.

2. If in such cases the Commission deems it appropriate to proceed with the study of such proposals or drafts, it shall follow a procedure on the following lines:

- (a) The Commission shall formulate a plan of work, and study such proposals or drafts and compare them with any other proposals and drafts on the same subject;
- (b) The Commission shall circulate a questionnaire to all Members of the United Nations and to the organs, specialized agencies and official bodies mentioned above which are concerned with the question, and shall invite them to transmit their comments within a reasonable time;
- (c) The Commission shall submit a report with its recommendations to the General Assembly. It may also, if it deems it desirable, before doing so make an interim report to the organ, agency or body which has submitted the proposal or draft;
- (d) If the General Assembly should invite the Commission to proceed with its work on a proposal, the procedure outlined in article 16 above shall apply. The questionnaire referred to in paragraph (c) of that article may not, however, be necessary.

## B. CODIFICATION OF INTERNATIONAL LAW

### *Article 18*

1. The Commission shall survey the whole field of international law with a view to selecting topics for codification, having in mind existing drafts whether governmental or not.

2. When the Commission considers that the codification of a particular topic is necessary or desirable, it shall submit its recommendations to the General Assembly.

3. The Commission shall give priority to requests of the General Assembly to deal with any question.



*Article 19*

1. The Commission shall adopt a plan of work appropriate to each case.

2. The Commission shall, through the Secretary-General, address to Governments a detailed request to furnish the texts of laws, decrees, judicial decisions, treaties, diplomatic correspondence and other documents relevant to the topic being studied and which the Commission deems necessary.

*Article 20*

The Commission shall prepare its drafts in the form of articles and shall submit them to the General Assembly together with a commentary containing:

- (a) Adequate presentation of precedents and other relevant data, including treaties, judicial decisions and doctrine;
- (b) Conclusions relevant to:
  1. The extent of agreement on each point in the practice of States and in doctrine;
  2. Divergencies and disagreements which exist, as well as arguments invoked in favour of one or another solution.

*Article 21*

1. When the Commission considers a draft to be satisfactory, it shall request the Secretary-General to issue it as a Commission document. The Secretariat shall give all necessary publicity to the document including such explanations and supporting material as the Commission may consider appropriate. The publication shall include any information supplied to the Commission by Governments in accordance with article 19. The Commission shall decide whether the opinions of any scientific institution or individual expert consulted by the Commission shall be included in the publication.

2. The Commission shall request Governments to submit comments on this document within a reasonable time.

*Article 22*

Taking such comments into consideration, the Commission shall prepare a final draft and explanatory report which it shall submit with its recommendations through the Secretary-General to the General Assembly.

*Article 23*

1. The Commission may recommend to the General Assembly:
  - (a) To take no action, the report having already been published;
  - (b) To take note of or adopt the report by resolution;
  - (c) To recommend the draft to Members with a view to the conclusion of a convention;
  - (d) To convoke a conference to conclude a convention.

2. Whenever it deems it desirable, the General Assembly may refer drafts back to the Commission for reconsideration or redrafting.



*Article 24*

The Commission shall consider ways and means for making the evidence of customary international law more readily available, such as the collection and publication of documents concerning State practice and of the decisions of national and international courts on questions of international law, and shall make a report to the General Assembly on this matter.

## CHAPTER III. CO-OPERATION WITH OTHER BODIES

*Article 25*

1. The Commission may consult, if it considers necessary, with any of the organs of the United Nations on any subject which is within the competence of that organ.

2. All documents of the Commission which are circulated to Governments by the Secretary-General shall also be circulated to such organs of the United Nations as are concerned. Such organs may furnish any information or make any suggestions to the Commission.

*Article 26*

1. The Commission may consult with any international or national organizations, official or non-official, on any subject entrusted to it if it believes that such a procedure might aid it in the performance of its functions.

2. For the purpose of distribution of documents of the Commission, the Secretary-General, after consultation with the Commission, shall draw up a list of national and international organizations concerned with questions of international law. The Secretary-General shall endeavour to include on this list at least one national organization of each Member of the United Nations.

3. In the application of the provisions of this article, the Commission and the Secretary-General shall comply with the resolutions of the General Assembly and the other principal organs of the United Nations concerning relations with Franco Spain and shall exclude from both consultations and from the list, organizations which have collaborated with the nazis and fascists.

4. The advisability of consultation by the Commission with inter-governmental organizations whose task is the codification of international law, such as those of the Pan-American Union, is recognized.

## B. Canadian Statement, September 26, 1947

### PROGRESSIVE DEVELOPMENT AND CODIFICATION OF INTERNATIONAL LAW

The delegation of Canada supports the principles of the resolution proposed by the representative of the U.S.A.

As we understand the resolution, the Commission is to be set up for the purpose of carrying out the progressive development of international law and its eventual codification. With this purpose, this delegation is wholly in accord. Indeed, something of the kind, initiated for this purpose, must be undertaken by, or under the support of, the General Assembly if it is to discharge the obligations which it assumed in the Charter. It occurred to me, however, and I speak subject to correction, that the purpose or objects of the Commission are not stated, at least clearly, in the resolution. We therefore have a slight amendment to propose (of which notice has been given) which will make this purpose clear. In drafting the amendment we followed the language used in paragraph 3 of the report of the Committee on the progressive development of international law and its codification which there expressed itself in deciding unanimously to recommend the General Assembly to establish a single Commission for the purpose of carrying out the progressive development of international law and its eventual codification.

I have just a word to add as to the attitude of the Canadian delegation to the setting up of this Commission.

We believe that its terms of reference should be as clear and definite as possible. We assume that these will be contained largely in the Assembly Resolutions to be passed from time to time.

We think we should start with a more limited and less elaborate organization than that recommended by the Committee. Generally speaking, the U.S. resolution with some of the amendments suggested by the U.K. meets our views in this respect.

And finally, we think careful consideration should be given to the suggestion of the Netherlands representative that the Commission do not enter the field of private international law, at least in the earlier stages of its work.

## C. Agreement Between the United Nations and the United States of America Regarding the Headquarters of the United Nations

### THE UNITED NATIONS AND THE UNITED STATES OF AMERICA:

Desiring to conclude an agreement for the purpose of carrying out the resolution adopted by the General Assembly on 14th December 1946 to establish the seat of the United Nations in the City of New York and to regulate questions arising as a result thereof;

Have appointed as their representatives for this purpose:

The United Nations:

Trygve LIE, Secretary-General, and

The United States of America:

George C. MARSHALL, Secretary of State,

Who have agreed as follows:

## ARTICLE I

### *Definitions*

#### *Section 1*

In this agreement:

(a) The expression "headquarters district" means:

(1) the area defined as such in Annex 1;

(2) any other lands or buildings which from time to time may be included therein by supplemental agreement with the appropriate American authorities;

(b) the expression "appropriate American authorities" means such federal, state, or local authorities in the United States as may be appropriate in the context and in accordance with the laws and customs of the United States, including the laws and customs of the state and local government involved;

(c) the expression "General Convention" means the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations on 13 February 1946, as acceded to by the United States;

(d) the expression "United Nations" means the international organization established by the Charter of the United Nations hereinafter referred to as the "Charter";

(e) the expression "Secretary-General" means the Secretary-General of the United Nations.

## ARTICLE II

### *The Headquarters District*

#### *Section 2*

The seat of the United Nations shall be the headquarters district.

#### *Section 3*

The appropriate American authorities shall take whatever action may be necessary to assure that the United Nations shall not be dispossessed of its property in the headquarters district, except as provided in Section 22 in the event that the United Nations ceases to use the same, provided that the United Nations shall reimburse the appropriate American authorities for any costs incurred, after consultation with the United Nations, in liquidating by eminent domain proceedings or otherwise any adverse claims.



*Section 4*

(a) The United Nations may establish and operate in the headquarters district:

- (1) its own short-wave sending and receiving radio broadcasting facilities, including emergency link equipment, which may be used on the same frequencies (within the tolerances prescribed for the broadcasting service by applicable United States regulations) for radio-telegraph, radio-teletype, radio-telephone, radio-telephoto, and similar services;
- (2) one point-to-point circuit between the headquarters district and the office of the United Nations in Geneva (using single sideband equipment) to be used exclusively for the exchange of broadcasting programmes and inter-office communications;
- (3) low power, micro wave, low or medium frequencies, facilities for communication within headquarters buildings only, or such other buildings as may temporarily be used by the United Nations;
- (4) facilities for point-to-point communications to the same extent and subject to the same conditions as committed under applicable rules and regulations for amateur operation in the United States, except that such rules and regulations shall not be applied in a manner inconsistent with inviolability of the headquarters district provided by Section 9 (a);
- (5) such other radio facilities as may be specified by supplemental agreement between the United Nations and the appropriate American authorities.

(b) The United Nations shall make arrangements for the operation of the services referred to in this section with the International Telecommunications Union, the appropriate agencies of the Government of the United States and the appropriate agencies of other affected Governments with regard to all frequencies and similar matters.

(c) The facilities provided for in this section may, to the extent necessary for efficient operation, be established and operated outside the headquarters district. The appropriate American authorities will, on request of the United Nations, make arrangements, on such terms and in such manner as may be agreed upon by supplemental agreement, for the acquisition or use by the United Nations of appropriate premises for such purposes and the inclusion of such premises in the headquarters district.

*Section 5*

In the event that the United Nations should find it necessary and desirable to establish and operate an aerodrome, the conditions for the location, use and operation of such an aerodrome and the conditions under which there shall be entry into and exit therefrom shall be the subject of a supplemental agreement.

*Section 6*

In the event that the United Nations should propose to organize its own postal service, the conditions under which such service shall be set up shall be the subject of a supplemental agreement.

## ARTICLE III

*Law and Authority in the Headquarters District**Section 7*

(a) The headquarters district shall be under the control and authority of the United Nations as provided in this agreement.

(b) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local law of the United States shall apply within the headquarters district.

(c) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local courts of the United States shall have jurisdiction over acts done and transactions taking place in the headquarters district as provided in applicable federal, state and local laws.

(d) The federal, state and local courts of the United States, when dealing with cases arising out of or relating to acts done or transactions taking place in the headquarters district, shall take into account the regulations enacted by the United Nations under Section 8.

*Section 8*

The United Nations shall have the power to make regulations, operative within the headquarters district, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. No federal, state or local law or regulation of the United States which is inconsistent with a regulation of the United Nations authorized by this section shall, to the extent of such inconsistency, be applicable within the headquarters district. Any dispute, between the United Nations and the United States, as to whether a regulation of the United Nations is authorized by this section or as to whether a federal, state or local law or regulation is inconsistent with any regulation of the United Nations authorized by this section, shall be promptly settled as provided in Section 21. Pending such settlement, the regulation of the United Nations shall apply, and the federal, state or local law or regulation shall be inapplicable in the headquarters district to the extent that the United Nations claims it to be inconsistent with the regulation of the United Nations. This section shall not prevent the reasonable application of fire protection regulations of the appropriate American authorities.

*Section 9*

(a) The headquarters district shall be inviolable. Federal, state or local officers or officials of the United States, whether administrative, judicial, military or police, shall not enter the headquarters district to perform any official duties therein except with the consent of and under conditions agreed to by the Secretary-General. The service of legal process, including the seizure of private property, may take place within the headquarters district only with the consent of and under conditions approved by the Secretary-General.

(b) Without prejudice to the provisions of the General Convention or Article IV of this agreement, the United Nations shall prevent



the headquarters district from becoming a refuge either for persons who are avoiding arrest under the federal, state, or local law of the United States or are required by the Government of the United States for extradition to another country, or for persons who are endeavouring to avoid service of legal process.

### *Section 10*

The United Nations may expel or exclude persons from the headquarters district for violation of its regulations adopted under Section 8 or for other cause. Persons who violate such regulations shall be subject to other penalties or to detention under arrest only in accordance with the provisions of such laws or regulations as may be adopted by the appropriate American authorities.

## ARTICLE IV

### *Communication and Transit*

#### *Section 11*

The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of (1) representatives of Members or officials of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2, of the Charter, or the families of such representatives or officials; (2) experts performing missions for the United Nations or for such specialized agencies; (3) representatives of the press, or of radio, film or other information agencies, who have been accredited by the United Nations (or by such a specialized agency) in its discretion after consultation with the United States; (4) representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter; or (5) other persons invited to the headquarters district by the United Nations or by such specialized agency on official business. The appropriate American authorities shall afford any necessary protection to such persons while in transit to or from the headquarters district. This section does not apply to general interruptions of transportation which are to be dealt with as provided in Section 17, and does not impair the effectiveness of generally applicable laws and regulations as to the operation of means of transportation.

#### *Section 12*

The provisions of Section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States.

#### *Section 13*

(a) Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11. When visas are required for persons referred to in that Section, they shall be granted without charge and as promptly as possible.



(b) Laws and regulations in force in the United States regarding the residence of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11 and, specifically, shall not be applied in such manner as to require any such person to leave the United States on account of any activities performed by him in his official capacity. In case of abuse of such privileges of residence by any such person in activities in the United States outside his official capacity, it is understood that the privileges referred to in Section 11 shall not be construed to grant him exemption from the laws and regulations of the United States regarding the continued residence of aliens, provided that:

- (1) No proceedings shall be instituted under such laws or regulations to require any such person to leave the United States except with the prior approval of the Secretary of State of the United States. Such approval shall be given only after consultation with the appropriate Member in the case of a representative of a Member (or a member of his family) or with the Secretary-General or the principal executive officer of the appropriate specialized agency in the case of any other person referred to in Section 11;
- (2) A representative of the Member concerned, the Secretary-General or the principal Executive Officer of the appropriate specialized agency, as the case may be, shall have the right to appear in any such proceedings on behalf of the person against whom they are instituted;
- (3) Persons who are entitled to diplomatic privileges and immunities under Section 15 or under the General Convention shall not be required to leave the United States otherwise than in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States.

(c) This section does not prevent the requirement of reasonable evidence to establish that persons claiming the rights granted by Section 11 come within the classes described in that section, or the reasonable application of quarantine and health regulations.

(d) Except as provided above in this section and in the General Convention, the United States retains full control and authority over the entry of persons or property into the territory of the United States and the conditions under which persons may remain or reside there.

(e) The Secretary-General shall, at the request of the appropriate American authorities, enter into discussions with such authorities, with a view to making arrangements for registering the arrival and departure of persons who have been granted visas valid only for transit to and from the headquarters district and sojourn therein and in its immediate vicinity.

(f) The United Nations shall, subject to the foregoing provisions of this section, have the exclusive right to authorize or prohibit entry of persons and property into the headquarters district and to prescribe the conditions under which persons may remain or reside there.

*Section 14*

The Secretary-General and the appropriate American authorities shall, at the request of either of them, consult as to methods of facilitating entrance into the United States, and the use of available means of transportation, by persons coming from abroad who wish to visit the headquarters district and do not enjoy the rights referred to in this Article.

## ARTICLE V

*Resident Representatives to the United Nations**Section 15*

- (1) Every person designated by a Member as the principal resident representative to the United Nations of such Member or as a resident representative with the rank of ambassador or minister plenipotentiary.
- (2) Such resident members of their staffs as may be agreed upon between the Secretary-General, the Government of the United States and the Government of the Member concerned,
- (3) Every person designated by a Member of a specialized agency, as defined in Article 57, paragraph 2, of the Charter, as its principal resident representative, with the rank of ambassador or minister plenipotentiary at the headquarters of such agency in the United States, and
- (4) Such other principal resident representatives of members of a specialized agency and such resident members of the staffs of representatives of a specialized agency as may be agreed upon between the principal executive officer of the specialized agency, the Government of the United States and the Government of the Member concerned, shall whether residing inside or outside the headquarters district, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it. In the case of Members whose governments are not recognized by the United States, such privileges and immunities need be extended to such representatives, or persons on the staffs of such representatives, only within the headquarters district, at their residences and offices outside the district, in transit between the district and such residences and offices, and in transit on official business to or from foreign countries.

## ARTICLE VI

*Police Protection of the Headquarters District**Section 16*

- (a) The appropriate American authorities shall exercise due diligence to ensure that the tranquility of the headquarters district is not disturbed by the unauthorized entry of groups of persons from outside or by disturbances in its immediate vicinity and shall cause to be provided on the boundaries of the headquarters district such police protection as is required for these purposes.



(b) If so requested by the Secretary-General, the appropriate American authorities shall provide a sufficient number of police for the preservation of law and order in the headquarters district, and for the removal therefrom of persons as requested under the authority of the United Nations. The United Nations shall, if requested, enter into arrangements with the appropriate American authorities to reimburse them for the reasonable cost of such services.

## ARTICLE VII

### *Public Services and Protection of the Headquarters District*

#### *Section 17*

(a) The appropriate American authorities will exercise to the extent requested by the Secretary-General the powers which they possess with respect to the supplying of public services to ensure that the headquarters district shall be supplied on equitable terms with the necessary public services, including electricity, water, gas, post, telephone, telegraph, transportation, drainage, collection of refuse, fire protection, snow removal, et cetera. In case of any interruption or threatened interruption of any such services, the appropriate American authorities will consider the needs of the United Nations as being of equal importance with the similar needs of essential agencies of the Government of the United States, and will take steps accordingly, to ensure that the work of the United Nations is not prejudiced.

(b) Special provisions with reference to maintenance of utilities and underground construction are contained in Annex 2.

#### *Section 18*

The appropriate American authorities shall take all reasonable steps to ensure that the amenities of the headquarters district are not prejudiced and the purposes for which the district is required are not obstructed by any use made of the land in the vicinity of the district. The United Nations shall on its part take all reasonable steps to ensure that the amenities of the land in the vicinity of the headquarters district are not prejudiced by any use made of the land in the headquarters district by the United Nations.

#### *Section 19*

It is agreed that no form of racial or religious discrimination shall be permitted within the headquarters district.

## ARTICLE VIII

### *Matters Relating to the Operation of this Agreement*

#### *Section 20*

The Secretary-General and the appropriate American authorities shall settle by agreement the channels through which they will communicate regarding the application of the provisions of this agreement and other questions affecting the headquarters district, and may enter into



such supplemental agreements as may be necessary to fulfil the purposes of this agreement. In making supplemental agreements with the Secretary-General, the United States shall consult with the appropriate state and local authorities. If the Secretary-General so requests, the Secretary of State of the United States shall appoint a special representative for the purpose of liaison with the Secretary-General.

#### *Section 21*

(a) Any dispute between the United Nations and the United States concerning the interpretation or application of this agreement or of any supplemental agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General, one to be named by the Secretary of State of the United States, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice.

(b) The Secretary-General or the United States may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of such proceedings. Pending the receipt of the opinion of the Court, an interim decision of the arbitral tribunal shall be observed by both parties. Thereafter, the arbitral tribunal shall render a final decision, having regard to the opinion of the Court.

### ARTICLE IX

#### *Miscellaneous Provisions*

#### *Section 22*

(a) The United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States. If the United States is unwilling to consent to a disposition which the United Nations wishes to make of all or any part of such land, the United States shall buy the same from the United Nations at a price to be determined as provided in paragraph (d) of this section.

(b) If the seat of the United Nations is removed from the headquarters district, all right, title and interest of the United Nations in and to real property in the headquarters district or any part of it shall, on request of either the United Nations or the United States be assigned and conveyed to the United States. In the absence of such a request, the same shall be assigned and conveyed to the sub-division of a state in which it is located or, if such sub-division shall not desire it, then to the state in which it is located. If none of the foregoing desire the same, it may be disposed of as provided in paragraph (a) of this section.

(c) If the United Nations disposes of all or any part of the headquarters district, the provisions of other sections of this agreement which apply to the headquarters district shall immediately cease to apply to the land and buildings so disposed of.

(d) The price to be paid for any conveyance under this section shall, in default of agreement, be the then fair value of the land, buildings and installations, to be determined under the procedure provided in Section 21.

#### *Section 23*

The seat of the United Nations shall not be removed from the headquarters district unless the United Nations should so decide.

#### *Section 24*

This agreement shall cease to be in force if the seat of the United Nations is removed from the territory of the United States, except for such provisions as may be applicable in connection with the orderly termination of the operations of the United Nations at its seat in the United States and the disposition of its property therein.

#### *Section 25*

Wherever this agreement imposes obligations on the appropriate American authorities, the Government of the United States shall have the ultimate responsibility for the fulfillment of such obligations by the appropriate American authorities.

#### *Section 26*

The provisions of this agreement shall be complementary to the provisions of the General Convention. In so far as any provision of this agreement and any provisions of the General Convention relate to the same subject matter, the two provisions shall, wherever possible, be treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this agreement shall prevail.

#### *Section 27*

This agreement shall be construed in the light of its primary purpose to enable the United Nations at its headquarters in the United States, fully and efficiently to discharge its responsibilities and fulfil its purposes.

#### *Section 28*

This agreement shall be brought into effect by an exchange of notes between the Secretary-General, duly authorized pursuant to a resolution of the General Assembly of the United Nations, and the appropriate executive officer of the United States, duly authorized pursuant to appropriate action of the Congress.

In witness whereof the respective representatives have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and French languages, both authentic, at Lake Success, this twenty-sixth day of June, 1947.



## ANNEX I

The area referred to in Section 1 (a) (1) consists of:

(a) the premises bounded on the East by the western side of Franklin D. Roosevelt Drive, on the West by the easterly side of First Avenue, on the North by the southerly side of East Forty-Eighth Street, and on the South by the northerly side of East Forty-Second Street, all as proposed to be widened, in the Borough of Manhattan, City and State of New York, and

(b) an easement over Franklin D. Roosevelt Drive, above a lower limiting plane to be fixed for the construction and maintenance of an esplanade, together with the structures thereon and foundations and columns to support the same in locations below such limiting plane, the entire area to be more definitely defined by supplemental agreement between the United Nations and the United States of America.

## ANNEX 2

## MAINTENANCE OF UTILITIES AND UNDERGROUND CONSTRUCTION

*Section 1*

The Secretary-General agrees to provide passes to duly authorized employees of the City of New York, the State of New York, or any of their agencies or sub-divisions, for the purpose of enabling them to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers within the headquarters district.

*Section 2*

Underground constructions may be undertaken by the City of New York, or the State of New York, or any of their agencies or sub-divisions, within the headquarters district only after consultation with the Secretary-General, and under conditions which shall not disturb the carrying out of the functions of the United Nations.

**D. Resolution of the Assembly, November 21, 1947**

## DRAFT CONVENTION ON GENOCIDE

*The General Assembly,*

*Realizing* the importance of the problem of combatting the international crime of genocide;

*Reaffirming* its resolution 96 (1) of 11 December, 1946, on the crime of genocide;

*Declaring* that genocide is an international crime entailing national and international responsibility on the part of individuals and States;

*Noting* that a large majority of the Governments of Members of the United Nations have not yet submitted their observations on the draft convention on the crime of genocide prepared by the Secretariat and circulated to those Governments by the Secretary-General on July 7, 1947;



*Considering* that the Economic and Social Council has stated in its resolution of 6 August, 1947, that it proposes to proceed as rapidly as possible with the consideration of the question of genocide, subject to any further instructions which it may receive from the General Assembly;

*Requests* the Economic and Social Council to continue the work it has begun concerning the suppression of the crime of genocide, including the study of the draft convention by the Secretariat, and to proceed with the completion of a convention, taking into account that the International Law Commission, which will be set up in due course in accordance with the Assembly Resolution of November, 1947, has been charged with the formulation of the principles recognized in the Charter of the Nuremberg Tribunal, as well as the preparation of a draft code of offences against peace and security;

*Inform*s the Economic and Social Council that it need not await the receipt of the observations of all Members before commencing its work; and

*Requests* the Economic and Social Council to submit a report and the convention on this question to the third regular session of the General Assembly.

## E. Resolutions of the Assembly, November 14, 1947

### NEED FOR GREATER USE BY THE UNITED NATIONS AND ITS ORGANS OF THE INTERNATIONAL COURT OF JUSTICE

#### I

*The General Assembly,*

*Considering* that it is a responsibility of the United Nations to encourage the progressive development of international law;

*Considering* that it is of paramount importance that the interpretation of the Charter of the United Nations and the constitutions of the specialized agencies should be based on recognized principles of international law;

*Considering* that the International Court of Justice is the principal judicial organ of the United Nations;

*Considering* that it is also of paramount importance that the Court should be utilized to the greatest practicable extent in the progressive development of international law both in regard to legal issues between States and in regard to constitutional interpretation;

*Recommends* that organs of the United Nations and the specialized agencies should, from time to time, review the difficult and important points of law within the jurisdiction of the International Court of Justice which have arisen in the course of their activities and involve questions of principle which it is desirable to have settled, including, in particular, points of law relating to the interpretation of the Charter of the United Nations or the constitutions of the specialized agencies, and, if duly authorized according to Article 96, paragraph 2, of the Charter, should refer them to the International Court of Justice for an advisory opinion.

## II

Under Article 96, paragraph 2, of the Charter, the General Assembly is empowered to authorize other organs of the United Nations and specialized agencies to request advisory opinions of the International Court of Justice on legal questions arising within the scope of their activities.

The Trusteeship Council, as one of the principal organs of the United Nations, and in view of the functions and powers conferred upon it by Chapters XII and XIII of the Charter, should be authorized to request advisory opinions on legal questions arising within the scope of its activities.

*The General Assembly, Therefore,*

*Authorizes* the Trusteeship Council to request advisory opinions of the International Court of Justice on legal questions arising within the scope of the activities of the Council.

## III

*The General Assembly,*

*Considering* that, in virtue of Article 1 of the Charter, international disputes should be settled in conformity with the principles of justice and international law;

*Considering* that the International Court of Justice could settle or assist in settling such disputes if, by the full application of the provisions of the Charter and of the Statute of the Court, more frequent use were made of its services;

1. *Draws the attention* of the States which have not yet accepted the compulsory jurisdiction of the Court in accordance with Article 36, paragraphs 2 and 5 of the Statute to the desirability of the greatest possible number of States accepting this jurisdiction with as few reservations as possible;

2. *Draws the attention* of States Members to the advantage of inserting in conventions and treaties arbitration clauses providing, without prejudice to Article 95 of the Charter, for the submission of disputes which may arise from the interpretation or application of such conventions or treaties, preferably and as far as possible to the International Court of Justice;

3. *Recommends* as a general rule that States should submit their legal disputes to the International Court of Justice.



## F. Canadian Statement, November 14, 1947

### NEED FOR GREATER USE OF THE INTERNATIONAL COURT OF JUSTICE

The point at issue concerning the first resolution contained in Document A/459 has been clearly and ably brought out by our distinguished colleague, the Rapporteur of Committee VI.

The opinion held by the delegation of Poland and the U.S.S.R. is, firstly, that the International Court of Justice has no jurisdiction to interpret the Charter and, secondly, that the resolution which recommends that organs of the United Nations should refer to the Court difficult and important points of law (including the interpretation of the Charter) is contrary to the Charter and therefore illegal.

As to the first point, has the Court jurisdiction to interpret the Charter? Article 92 of the Charter states that the Court, being the principal judicial organ of the United Nations, shall function in accordance with its Statute which is made an integral part of the Charter. Article 96 of the Charter authorizes the Assembly or the Security Council to request advisory opinions of the Court on any legal question and that other organs or specialized agencies may be authorized by the Assembly to request advisory opinions on legal matters arising within the scope of their activities.

Article 34, paragraph 3 of the Statute of the Court (which forms an integral part of the Charter) declares that "whenever the construction of the constituent instrument of a public international organization.... is in question in a case before the Court....," the Registrar shall take certain steps. Clearly, then, the Court has jurisdiction to interpret the Charter in cases submitted by States to the Court.

But can the Court give an interpretation of the Charter in an advisory opinion requested of it? Article 65 of the Statute says quite clearly that "The Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request."

It may not be without use to underline that Article 65 provides "The Court may give an advisory opinion on *any* legal question....".

The construction of the constituent instrument of a public international organization, specifically mentioned in Article 34 of the Statute, is certainly a subject for the legal determination of the Court. It follows then that the Court has jurisdiction to interpret the Charter (which is the constituent instrument of the United Nations itself) either in a case brought to it by two states or when an organ of the United Nations has requested an advisory opinion on an interpretation of the Charter.

Now it has been inferred that a proposal, such as is before the Assembly, was rejected at San Francisco. I have looked through the records of the San Francisco Conference and, for my part, have been unable to find that such a proposal was rejected by that Conference on International Organization.

The question asked at San Francisco was:

How and by what organ or organs of the organization should the Charter be interpreted?



You have before you document A/474, submitted by the Soviet delegation, which contains the transcript of what was said in answer to that question. This document sets forth the conclusions adopted by Committee IV at San Francisco. These conclusions prepared by the Committee responsible for framing this part of the Charter show that it is abundantly clear that the organs of the United Nations may, in the course of day to day operations, interpret *such parts* of the Charter as are applicable to their *particular functions*. It is also clear that the Charter contains nothing which prevents the Court from interpreting the Charter. Finally, it is equally clear that States may put a case before the Court, or organs may request an advisory opinion of the Court, concerning the interpretation of the Charter.

Since the Assembly, by virtue of Article 13 of the Charter, may make recommendations for the purpose of promoting the development of international law, there can be no possible illegality in the Assembly recommending to the organs of the United Nations and to the duly authorized agencies that they should place difficult and important questions of law (including the interpretation of their constituent instruments) before the International Court of Justice for an advisory opinion.

We feel strongly, Mr. President, that not only is the resolution proposed by Committee VI quite within the letter and spirit of the Charter but it is also designed to develop the rule of law and order based on justice. This rule, the Canadian delegation supports wholeheartedly.

## G. Resolution of the Assembly, October 31, 1947

### SURRENDER OF WAR CRIMINALS AND TRAITORS

*The General Assembly,*

*Noting* what has so far been done in the matter of the surrender and punishment, after due trial, of the war criminals referred to in its resolution adopted on 13 February, 1946:

*Reaffirms* the aforementioned resolution;

*Reaffirms* also its resolutions on the subject of refugees adopted on 12 February, 1946, and on 15 December, 1946;

*Recommends* Members of the United Nations to continue with unabated energy to carry out their responsibilities as regards the surrender and trial of war criminals;

*Recommends* Members of the United Nations which desire the surrender of alleged war criminals or traitors (that is to say nationals of any State accused of having violated their national law by treason or active collaboration with the enemy during the war) by other Members, in whose jurisdiction they are believed to be, to request such surrender as soon as possible and to support their request with sufficient evidence to establish that a reasonable *prima facie* case exists as to identity and guilt; and

*Reasserts* that trials of war criminals and traitors, like all other trials, should be governed by the principles of justice, law and evidence.

## H. Statement by the Chairman of the General Assembly's Committee on Procedures and Organization, September 25, 1947

The report of the Committee on Procedures and Organization of the General Assembly (Document A/388 of September 23, 1947) is a very bulky document. The reason for this is that it contains a complete revision of the present provisional rules of procedure of the General Assembly. It also contains a number of suggestions and recommendations on measures to economize the time of the General Assembly which are not covered by the proposed changes in the rules of procedure.

The number of revisions recommended in the rules of procedure is very great. The total number of rules is increased from 117 to 150. Of the existing 117 rules the Committee has recommended the revision or deletion of 59. The Committee has also recommended a considerable number of new rules.

Because the number of changes recommended is so great it is hard for anyone who did not serve on the Committee to distinguish the important recommendations from the relatively unimportant.

In an effort to help the members of the General Assembly and the representatives of the press and radio to find their way through the Committee's report, the Canadian delegation prepared an analysis of the revised provisional rules recommended by the Committee. This analysis was circulated the day before yesterday (Document A/393 of 23 September, 1947).

In the analysis the revisions recommended by the Committee are listed under three headings: first, the six main drafting changes recommended; second, the six main changes recommended in order to codify useful existing practices; and third, the nine main recommendations for substantial changes in the rules.

Clearly these last nine recommendations are the most important. They are dealt with in paragraphs 21 to 30 of the analysis. Another important recommendation is dealt with in paragraph 19 of the analysis: that is the recommendation that members who abstain from voting are to be considered as not voting.

The reasons for the efforts which the Members of the General Assembly are making to eliminate procedural debates in the plenary and committee meetings of the Assembly are obvious to you all. Long procedural debates protract unnecessarily the duration of a session of the Assembly and lower the prestige of the Assembly, because people cannot understand how it is that the Assembly cannot get down to business but instead wastes its time on procedural debates.

The question is also a matter of dollars and cents. The longer a session lasts the greater is the financial burden on the budget of the United Nations. The holding of a session of the General Assembly adds to the ordinary costs of running the Secretariat, between \$130,000 and \$150,000 for every week the Assembly is in session.



The financial cost to individual member states of an unnecessarily protracted session is, of course, not only each state's share of that part of the annual budget of the U.N. which is attributable to the extra unnecessary week or so during which the Assembly is in session, but also the much heavier, direct expense to the state of maintaining its delegation in New York for that extra week—cost of hotel rooms, office space, meals for the members of the delegation, telegram and cable tolls, etc. These costs probably total—for all fifty-five nations—about \$120,000 a week.

If a regular session of the General Assembly can on the average be reduced in length by one week without diminishing the effectiveness of the Assembly, but indeed increasing its effectiveness and prestige, the individual citizens of the member states will not only benefit by reductions in the financial costs of membership in the U.N. They will also benefit indirectly in another way. The kind of representatives, alternate representatives and advisers who are most useful at meetings of the U.N. are the very men who are most needed at home to help solve pressing domestic problems and to deal with problems of foreign policy.

Improvements in the rules of procedure and in the practices and the organization of the General Assembly will not only cut down the length of sessions of the General Assembly, they will also result in cutting down the unnecessary prolongation of the meetings of the other organs of the U.N. and of the U.N.'s various commissions. The same thing should apply to the meetings of all the specialized agencies.

The governments which are represented in the Assembly of the U.N. are the same governments which are represented in the Economic and Social Council, the Trusteeship Council, the Security Council, the various commissions of the Economic and Social Council and the specialized agencies which will soon number a dozen. If experience at the Assembly demonstrates that the adoption by the Assembly of reforms in its rules, practices and organization economizes the time of the Assembly, these governments will instruct their representatives on other international bodies to press for the adoption of similar reforms in those bodies.

Thus, though we are dealing in this Assembly only with the problem of streamlining the Assembly, our work, if successful, should lead to a similar streamlining of all the other numerous international, deliberative bodies.

No member of the Committee on Procedures and Organization would contend that the reforms proposed by the Committee are final or the last word in wisdom. The fact that the Committee has recommended, in the draft resolution which it has presented to the Assembly, that the Assembly set up towards the middle of this session an *ad hoc* committee on rules of procedure to propose further reforms demonstrates that the members of the Committee realize that the reforms which they have recommended are merely a first step, that some of them are stop-gaps, and that further reforms should be made at this session to come into force at the beginning of the next session.

The Committee has thus recommended not merely the adoption of reforms immediately but also the establishment of machinery for making further reforms. It is indeed to be hoped that the Assembly will every year continue to improve its rules of procedure, its practices and its organization.



In order to estimate the probable benefit to the U.N. and to its member states and their taxpayers of the Committee's proposals, it is necessary to take into account not only the probable value of the immediate reforms proposed by the Committee but also the probable value of the further reforms which will be proposed by the *ad hoc* committee at the end of this session.

The Committee on Procedures and Organization was composed of fifteen states. It received suggestions from the governments of six other states, as well as from the Secretary-General. Over thirty of the fifty-five Members of the U.N. have still to be heard from. These Members will have valuable proposals for reform to be put before the *ad hoc* committee. It can therefore be expected that the reforms advocated by the *ad hoc* committee will exceed in their comprehensiveness and value the reforms proposed by the fifteen-nation Committee on Procedures and Organization.

Thus it is not unreasonable to hope that the total effect of the reforms in procedures, organization and practices adopted during this session of the Assembly will be that the next session will last for a week less than it otherwise would have and that the application of these reforms to other international meetings should reduce the duration of these meetings by a corresponding amount.

It seems to me that one of the most valuable results of the work of the Committee on Procedures and Organization is that its report will serve to dissipate the fears which existed last year that those who press for measures to economize the time of the Assembly are thinking in terms of the adoption of a very drastic *closure system* in the plenary and committee meetings of the Assembly. My impression is that a careful study of the recommendations and suggestions contained in the Committee's report will lead to the conclusion that the adoption of all these suggestions and recommendations would not limit in any way the existing rights of the members of the Assembly to discuss questions brought before the Assembly.

A valid criticism of the report might indeed be that it does not contain recommendations or suggestions on how to avoid the danger which exists at present that questions which are placed towards the end of the agendas of the various committees come up at a time when the committees are trying to complete their work quickly and these questions may, therefore, not be discussed at adequate length.

This is probably the biggest single problem which the *ad hoc* committee on rules of procedure will have to face. Experience at past meetings of the Assembly and of other international conferences demonstrates that the almost invariable pattern of an international meeting is as follows. The international meeting begins with unrestricted freedom of discussion and with normal working hours for committees. It ends by operating under the most rigid rules for limiting the number and length of speeches; and it holds meetings of its committees morning, evening, noon and night. It would therefore seem obvious that some rules must be adopted under which the pressure of work throughout a session of the Assembly will be maintained fairly constant from the very beginning to the very end of the session.

The proceedings of the Committee on Procedures and Organization mark a great advance over the proceedings of similar committees two years ago. Two years ago many members of such committees acted on

the assumption that the rules of procedure to which they were accustomed at home were accepted throughout the world in all legislative bodies. They were therefore often at a loss to understand why representatives from other countries did not immediately accept a proposal that the United Nations adopt as a rule of procedure, a rule of procedure of the national legislature with which they were familiar.

All Members of the U.N. have by now come to realize that there are scarcely any rules of procedure which are accepted in all legislative bodies throughout the world; that none of us can hope to solve the procedural problems of the U.N. by trying to persuade the U.N. to adopt the parliamentary procedures to which we are each accustomed, but that, instead, all of us must pool our knowledge and intelligence in an effort to find for the U.N. the procedures which are most appropriate for it.

The one serious obstacle which still makes difficult complete agreement among all Members of the U.N. on further reforms in the procedures, practices and organization of the Assembly is that there are still misconceptions in the minds of some Members of the U.N. of the fundamental purpose which rules of procedure serve in legislative bodies in which more than one political party is represented.

Those who are accustomed to a multiple-party system realize that the main purpose of many of the most important rules of procedure in a legislative body is to protect the minority against the majority. These parliamentary rules of procedure are self-denying ordinances which the majority accepts—self-imposed limitations. Perhaps one reason the majority party in a national legislature accepts these limitations of its power to ride rough-shod over the opposition in the legislature is that it knows that it will some day be the opposition.

The essential basis of democracy in a democratic legislature is that the majority preserve respect and defend the rights of the minority. But, while the minority has rights which the majority must respect, another basic principle of democracy is that the majority also has rights which the minority must respect. The minority in a legislature has the right to insist that there be adequate discussion before the majority presses a proposal to a vote, but the minority has not the right to carry obstruction to such lengths that the parliamentary machine cannot carry out its task. After all, the work of the United Nations must be carried on.

There is nothing in this whole business of reforms in the procedures, practices and organization of the Assembly which should divide the Members of the U.N. Here we are not dealing with questions of substance but with questions of procedure. Here we have not only the common aim, the preservation of peace, but the common desire that the General Assembly of the United Nations should operate with dignity and despatch.

The interests of all the Members of the U.N. in the future discussions of reforms in the procedures, practices and organization of the General Assembly are identical. Differences exist and will continue to exist on how the Members of the Assembly can best accomplish the end which they all have in view. But if those who advocate changes and those who oppose them each give reasoned statements in support of their positions, there is always a very good chance that the views can be reconciled.

It is only when reasoned statements are not given that there is no possibility of reconciliation.



## APPENDIX VI

### Canadian Delegation to the Second Session of the General Assembly

#### *Representatives*

- The Right Hon. L. S. St. Laurent, M.P.  
Secretary of State for External Affairs  
Chairman of the Delegation
- The Right Hon. J. L. Ilsley, M.P.  
Minister of Justice
- Senator, the Honourable Norman P. Lambert  
Chairman of the Senate Standing Committee on External Affairs
- Walter A. Tucker, M.P.  
Parliamentary Assistant to the Minister of Veterans Affairs
- Joseph A. Bradette, M.P.  
Chairman of the House of Commons Standing Committee  
on External Affairs

#### *Alternate Representatives*

- L. B. Pearson  
Under-Secretary of State for External Affairs
- Dr. George F. Davidson  
Deputy Minister of National Health and Welfare
- L. R. Beaudoin, M. P.
- Sidney D. Pierce  
Canadian Ambassador to Mexico
- Escott Reid  
Department of External Affairs

#### *Parliamentary Advisers*

- Senator, the Honourable A. J. Léger
- J. T. Hackett, M.P.
- W. E. Harris, M.P.
- S. E. Low, M.P.
- Angus MacInnis, M.P.

#### *Principal Adviser to the Delegation*

- R. G. Riddell  
Department of External Affairs



*Advisers*

J. H. Armstrong, Department of External Affairs  
 H. H. Carter, Department of External Affairs  
 J. M. E. Clarkson, Department of National Defence  
 E. A. Côté, Department of External Affairs  
 C. M. Drury, Department of External Affairs  
 G. K. Grande, Department of External Affairs  
 E. R. Hopkins, Department of External Affairs  
 G. Ignatieff, Department of External Affairs  
 Miss E. P. MacCallum, Department of External Affairs  
 L. Mayrand, Department of External Affairs  
 S. Pollock, Department of Finance  
 A. C. Smith, Department of External Affairs  
 S. F. Rae, Department of External Affairs  
 M. Wershof, Department of External Affairs  
 B. M. Williams, Department of External Affairs

*Information Officer*

S. F. Rae  
 Department of External Affairs

*Assistant Information Officers*

S. A. Freifeld  
 Department of External Affairs  
 Miss F. Carlisle  
 Department of External Affairs

*Secretary-General*

C. M. Drury  
 Department of External Affairs

*Secretaries*

L. J. H. Hébert, Department of External Affairs  
 A. Plouffe, Staff of the House of Commons  
 B. M. Williams, Department of External Affairs

## APPENDIX VII

### Officers of the General Assembly and Members of the Security Council, the Economic and Social Council, the Trusteeship Council and of the International Court of Justice

#### GENERAL ASSEMBLY

##### I

#### *General Assembly*

President: Dr. Oswaldo Aranha (Brazil).

Vice-Presidents (7): The heads of the Delegations of China, France, United Kingdom, U.S.S.R., U.S.A., Cuba and Mexico.

#### *First Committee (Political and Security)*

Chairman: Mr. Joseph Bech (Luxembourg).

Vice-Chairman: Dr. Adolfo Costa du Rels (Bolivia)

Rapporteur: Mr. Per Federspiel (Denmark).

#### *Second Committee (Economic and Finance)*

Chairman: Mr. Hernan Santa Cruz (Chile).

Vice-Chairman: Dr. C. L. Patijn (Netherlands).

Rapporteur: Mr. Joseph Hanc (Czechoslovakia).

#### *Third Committee (Social, Humanitarian and Cultural)*

Chairman: Dr. Oscar Lange (Poland).

Vice-Chairman: Mr. A. D. Wilson (Liberia).

Rapporteur: Dr. Charles Malik (Lebanon).

#### *Fourth Committee (Trusteeship)*

Chairman: Sir Carl Berendsen (New Zealand).

Vice-Chairman. Mr. Kuzma V. Kiselev (Byelorussia).

Rapporteur: Mr. Max H. Dorsinville (Haiti).

#### *Fifth Committee (Administrative and Budgetary)*

Chairman: Mr. Justice Fazli Ali (India).

Vice-Chairman: Dr. Joza Vilfan (Yugoslavia).

Rapporteur: Mr. Gosta Bagge (Sweden).

#### *Sixth Committee (Legal)*

Chairman: Mr. Faris el Khoury (Syria).

Vice-Chairman: Dr. Max Henriquex-Urena (Dominican Republic).

Rapporteur: Mr. Georges Kaeckenbeeck (Belgium).

*Ad Hoc Committee on Headquarters*

Chairman: Mr. Warren R. Austin (United States).

Vice-Chairman: Mr. Finn Moe (Norway).

Rapporteur: Mr. Alexis Kyrrou (Greece).

*Ad Hoc Committee on Palestinian Question*

Chairman: Dr. H. V. Evatt (Australia).

Vice-Chairman: Prince Subhasvasti Svastivat (Siam).

Rapporteur: Mr. Thor Thors (Iceland).

## II

## PROCEDURAL COMMITTEES

*General Committee*

President of General Assembly.

Vice-Presidents of General Assembly.

Chairmen of Six Main Committees.

*Credentials Committee*

Chairman: Iran

Members:

Chile

Czechoslovakia

Honduras

The Netherlands

New Zealand

Norway

Siam

United Kingdom

## III

## STANDING COMMITTEES

*Advisory Committee on Administrative and Budgetary Questions*

To serve until December 31, 1948:

Thanassis Aghnides (Greece).

C. L. Hsia (China).

V. I. Kabushko (U.S.S.R.).

To serve until December 31, 1949:

O. Machado (Brazil),

Sir William Matthews (United Kingdom).

Donald C. Stone (United States).

To serve until December 31, 1950:

Mr. André Ganem (France).

H. E. Dr. Jan Papanek (Czechoslovakia).

Mr. N. Sundaresan (India).



*Committee on Contributions*

To serve until December 31, 1948:

J. P. Brigden (Australia).  
G. Martinez Cabanas (Mexico).  
Seymour Jacklin (Union of South Africa).  
Nicolai V. Orlov (U.S.S.R.).

To serve until December 31, 1949:

K. V. Dzung (China).  
Jan Papanek (Czechoslovakia).  
James E. Webb (United States).

To serve until December 31, 1950:

Mr. Rafik Asha (Syria).  
Mr. H. Campion (United Kingdom).  
Dr. M. Z. N. Witteveen (Netherlands).

## IV

*Ad Hoc COMMITTEE**Headquarters Advisory Committee*

Australia	India
Belgium	Norway
Brazil	Poland
Canada	Syria
China	U.S.S.R.
Colombia	United Kingdom
France	United States of America
Greece	Yugoslavia

## ATOMIC ENERGY COMMISSION

*Permanent Members:*

Canada  
China  
France  
U.S.S.R.  
United Kingdom  
United States

*Non-Permanent Members:*

Two Year Term: Argentina  
Ukrainian S.S.R.

One Year Term: Belgium  
Colombia  
Syria

## SECURITY COUNCIL

*Permanent Members:*

China  
France  
U.S.S.R.  
United Kingdom  
United States

*Non-Permanent Members:*

Two Year Term: Argentina  
Canada  
Ukrainian S.S.R.

One Year Term: Belgium  
Colombia  
Syria

## ECONOMIC AND SOCIAL COUNCIL

*Members:*

Canada, Chile, China, France, Netherlands and Peru to serve until December 31, 1948.

Byelorussian S.S.R., Lebanon, New Zealand, Turkey, United States and Venezuela to serve until December 31, 1949.

Australia, Brazil, Denmark, Poland, U.S.S.R., United Kingdom, to serve until December 31, 1950.

*(i) Economic and Employment Commission:*

Representatives of Australia, Belgium, Brazil, Byelorussian S.S.R., Canada, China, Cuba, Czechoslovakia, France, India, Norway, Poland, U.S.S.R. United Kingdom, United States.

*Sub-Commission on Employment and Economic Stability:* Experts from Australia, France, Norway, Poland, U.S.S.R., United Kingdom, United States.

*Sub-Commission on Economic Development:* Experts from Brazil, China, Czechoslovakia, India, Mexico, U.S.S.R., United States.

*(ii) Transport and Communications Commission:*

Representatives of Brazil, Chile, China, Czechoslovakia, Egypt, France, India, Netherlands, Norway, Poland, Union of South Africa, U.S.S.R., United Kingdom, United States, Yugoslavia.

*(iii) Fiscal Commission:*

Representatives of Belgium, China, Colombia, Cuba, Czechoslovakia, France, India, Lebanon, New Zealand, Poland, U.S.S.R., United Kingdom, Union of South Africa, Ukrainian S.S.R., United States.

*(iv) Statistical Commission:*

Representatives of Canada, China, France, India, Mexico, Netherlands, Norway, Turkey, U.S.S.R., United Kingdom, Ukrainian S.S.R., United States.

*Sub-Commission on Statistical Sampling:* Experts from France, India, U.S.S.R., United Kingdom, United States.

*Committee on Statistical Classification:* Experts from Canada, China, France, Netherlands, Norway, U.S.S.R., United Kingdom, United States.

*(v) Population Commission:*

Representatives from Australia, Brazil, Canada, China, France, Netherlands, Peru, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Yugoslavia.

*(vi) Social Commission:*

Representatives from Canada, China, Colombia, Czechoslovakia, Denmark, Ecuador, France, Greece, Iraq, Netherlands, New Zealand, Peru, Poland, Union of South Africa, U.S.S.R., United Kingdom, United States, Yugoslavia.

(vii) *Commission on Human Rights:*

Representatives from Australia, Belgium, Byelorussian S.S.R., Chile, China, Egypt, France, India, Iran, Lebanon, Panama, Philippine Republic, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia.

*Sub-Commission on Freedom of Information and of the Press:* Experts from Canada, China, Czechoslovakia, France, Netherlands, Norway, Panama, Philippine Republic, U.S.S.R., United Kingdom, United States, Uruguay.

*Sub-Commission on Prevention of Discrimination and Protection of Minorities:* Experts from Australia, Belgium, China, Ecuador, France, Haiti, India, Iran, Sweden, U.S.S.R., United Kingdom, United States.

(viii) *Commission on the Status of Women:*

Representatives from Australia, Byelorussian S.S.R., China, Costa Rica, Denmark, France, Guatemala, India, Mexico, Syria, Turkey, U.S.S.R., United Kingdom, United States, Venezuela.

(ix) *Commission on Narcotic Drugs:*

Representatives of Canada, China, Egypt, France, India, Iran, Mexico, Netherlands, Peru, Poland, Turkey, U.S.S.R., United Kingdom, United States, Yugoslavia.

(x) *Economic Commission for Europe:*

Representatives of Belgium, Byelorussian S.S.R., Czechoslovakia, Denmark, France, Greece, Iceland, Luxembourg, Netherlands, Norway, Poland, Sweden, Turkey, U.S.S.R., United Kingdom, Ukrainian S.S.R., United States, Yugoslavia.

(xi) *Economic Commission for Asia and the Far East:*

Representatives of Australia, China, France, India, Netherlands, Pakistan, Philippine Republic, Siam, U.S.S.R., United Kingdom, United States.

## INTERNATIONAL CHILDREN'S EMERGENCY FUND

*Member Governments:*

Argentina	Netherlands
Australia	New Zealand
Brazil	Norway
Byelorussian S.S.R.	Peru
Canada	Poland
China	Sweden
Colombia	Switzerland
Czechoslovakia	Ukrainian S.S.R.
Denmark	Union of South Africa
Ecuador	U.S.S.R.
France	United Kingdom
Greece	United States
Iraq	Yugoslavia



## TRUSTEESHIP COUNCIL

*Administering Trust Territories*

Australia  
Belgium  
France

New Zealand  
United Kingdom  
United States

*Non-Administering Members*

China  
Costa Rica  
Iraq

Mexico  
Philippine Republic  
U.S.S.R.

## MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

*Nine Year Term*

Alejandro Alvarez (Chile).  
José Philadelpho de Barros e Azevedo (Brazil).  
Jules Basdevant (France).  
José Gustavo Guerrero (El Salvador).  
Sir Arnold Duncan McNair (United Kingdom).

*Six Year Term*

Isidro Fabela Alfaro (Mexico).  
Green H. Hackworth (United States).  
Helge Klaestad (Norway).  
Sergei Borisovitch Krylov (U.S.S.R.).  
Charles de Visscher (Belgium).

*Three Year Term*

Abdel Hamid Badawi Pasha (Egypt).  
Hsu Mo (China).  
John E. Read (Canada).  
Bogdan Winiarski (Poland).  
Milovan Zoričić (Yugoslavia).







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217

*Canada, External Affairs*

# CANADA

and the

# UNITED NATIONS

## 1948

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**CANADA**  
and the  
**UNITED NATIONS**  
1948

**REPORT**  
on the  
**UNITED NATIONS**  
1948

DEPARTMENT OF EXTERNAL AFFAIRS  
OTTAWA, CANADA

CONFERENCE SERIES 1948, No. 1



OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,  
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1949





*To His Excellency  
The Governor General in Council*

YOUR EXCELLENCY:

I have the honour to lay before your Excellency the attached annual report, "Canada and the United Nations, 1948".

I have the honour to be, Sir,

Your Excellency's obedient servant,

L. B. PEARSON  
*Secretary of State for External Affairs.*

OTTAWA, February 3, 1949.





# TABLE OF CONTENTS

	PAGE
PREFACE—The Structure of the United Nations.....	7
GENERAL SURVEY.....	13
I MEMBERSHIP OF THE UNITED NATIONS	
1. Applications for Membership.....	27
2. Election of Officers of the General Assembly.....	29
3. Elections to the Security Council.....	30
4. Elections to the Economic and Social Council.....	31
5. Elections to the International Court of Justice.....	32
6. Elections to the International Law Commission.....	33
II POLITICAL AND SECURITY QUESTIONS	
1. Atomic Energy.....	37
2. Berlin.....	42
3. Czechoslovakia.....	46
4. Disarmament.....	48
5. Greece.....	51
6. Guard Force.....	54
7. Indians in the Union of South Africa.....	55
8. India-Pakistan Dispute.....	56
9. Indonesia.....	59
10. Interim Committee.....	64
11. Korea.....	67
12. Mexican Proposals for Peace.....	72
13. Military Staff Committee.....	73
14. Palestine.....	74
15. Spanish Question.....	78
16. Trieste: Governorship.....	79
17. Trieste: Yugoslav Complaint.....	81
III ECONOMIC AND SOCIAL QUESTIONS	
1. The First Three Years of the Economic and Social Council	85
2. Commissions of the Economic and Social Council:	
a) Commission on Human Rights.....	90
b) Commission on the Status of Women.....	91
c) Economic and Employment Commission.....	93
d) Fiscal Commission.....	95
e) Narcotics Control.....	96
f) Population Commission.....	99
g) Social Commission.....	99
h) Statistical Commission.....	101
i) Transport and Communications Commission.....	102
j) Economic Commission for Asia and the Far East....	103
k) Economic Commission for Europe.....	105
l) Economic Commission for Latin America.....	107
3. Freedom of Information.....	108
4. International Children's Emergency Fund.....	110
5. Migration.....	112

III ECONOMIC AND SOCIAL QUESTIONS— <i>Continued</i>	PAGE
6. United Nations Appeal for Children.....	113
7. Co-ordination of the Work of the Economic and Social Council.....	115
IV SPECIALIZED AGENCIES	
1. Food and Agriculture Organization.....	121
2. Inter-governmental Maritime Consultative Organization.....	124
3. International Bank for Reconstruction and Development.....	126
4. International Civil Aviation Organization.....	128
5. International Labour Organization.....	130
6. International Monetary Fund.....	132
7. International Refugee Organization.....	134
8. International Telecommunications Union.....	137
9. International Trade Organization.....	138
10. United Nations Educational, Scientific and Cultural Organization.....	142
11. Universal Postal Union.....	144
12. World Health Organization.....	145
V TRUSTEESHIP	
1. Non-Self-Governing Territories.....	149
2. South West Africa.....	151
3. Strategic Areas.....	153
4. The Trusteeship System.....	155
VI ADMINISTRATIVE AND BUDGETARY QUESTIONS	
1. Report of the Board of Auditors.....	161
2. Budget of the United Nations.....	162
a) Budget for 1949.....	162
b) Supplementary Expenditures for 1948.....	166
3. The Working Capital Fund.....	168
4. Scale of Contributions to the Budget.....	170
5. Transfer of Assets of the League of Nations.....	172
6. Other Administrative and Budgetary Questions:	
a) Payment of Travelling Expenses and Subsistence Allowances.....	173
b) Transfer to the United Nations of Residual Assets and Activities of UNRRA.....	173
c) Use of Spanish as a Working Language.....	173
d) Training in Public Administration.....	174
e) United Nations Postal Services.....	174
f) United Nations Telecommunications System.....	175
7. Appointments to Standing Committees of the General Assembly.....	177
8. Questions Relating to the Secretariat:	
a) United Nations Staff Pension Scheme.....	179
b) Tax Equalization.....	179
c) Composition of the Secretariat and the Principle of Geographical Distribution.....	180
d) Salaries and Allowances.....	181
e) Expatriation Allowances.....	181
f) Cost-of-living Bonus and Administrative Tribunal...	181

## VI ADMINISTRATIVE AND BUDGETARY QUESTIONS— PAGE

*Continued*

9. Budgetary and Financial Co-ordination of the Specialized Agencies.....	182
10. Permanent Headquarters of the United Nations.....	184

## VII LEGAL QUESTIONS

1. Chilean Complaint against the U.S.S.R.....	189
2. Genocide.....	191
3. Privileges and Immunities.....	193
4. Registration and Publication of Treaties and International Agreements.....	195
5. The International Court of Justice.....	196

## VIII APPENDICES

### (I) GENERAL

A. Statement by the Chairman of the Canadian Delegation in the Opening Debate in the General Assembly, September 28, 1948.....	199
B. Statement of the Secretary of State for External Affairs in the House of Commons, April 29, 1948.....	204

### (II) POLITICAL

A. Canadian Statement, Ad Hoc Political Committee, November 22, 1948: Admission of New Members.....	207
B. (1) Canadian Statement, First Committee, September 30, 1948: Atomic Energy.....	208
(2) Canadian Statement, General Assembly, November 4, 1948: Atomic Energy.....	210
(3) General Assembly Resolution, November 4, 1948: Atomic Energy.....	212
C. Canadian Statement, Security Council, October 15, 1948: Berlin.....	213
D. Canadian Statement, Security Council, March 31, 1948: Czechoslovakia.....	214
E. (1) Canadian Statement, First Committee, October 11, 1948: Disarmament.....	215
(2) General Assembly Resolution, November 19, 1948: Disarmament.....	219
F. (1) Security Council Resolution, April 21, 1948: India-Pakistan.....	219
(2) Canadian Statement, Security Council, April 17, 1948: India-Pakistan.....	223
G. Security Council Resolution, February 28, 1948: Indonesia	224
H. (1) Canadian Statement, Interim Committee, July 9, 1948: Voting Procedure in the Security Council...	224
(2) Canadian Statement, Ad Hoc Political Committee, November 17, 1948: Interim Committee.....	226
I. (1) Canadian Statement, General Assembly, December 12, 1948: Korea.....	227
(2) General Assembly Resolution, December 12, 1948: Korea.....	228



(II) POLITICAL— <i>Continued</i>	PAGE
J. (1) Canadian Statement, Security Council, March 24, 1948: Suspension of Partition Plan for Palestine...	230
(2) General Assembly Resolution, May 14, 1948: Appointment and Terms of Reference of a United Nations Mediator in Palestine.....	232
(3) Security Council Resolution, May 29, 1948: Palestine	233
(4) Security Council Resolution, July 15, 1948: Palestine	234
(5) Security Council Resolution, November 16, 1948: Palestine.....	235
(6) Canadian Statement, First Committee, November 22, 1948: Palestine.....	236
(7) General Assembly Resolution, December 11, 1948: Palestine, Progress Report of the United Nations Mediator.....	240
(8) Canadian Statement, Security Council, December 2, 1948: Admission of Israel to the United Nations...	243
(9) Canadian Statement, Security Council, December 17, 1948: Admission of Israel to the United Nations..	244
(III) ECONOMIC AND SOCIAL	
A. Canadian Statement, Second Committee, October 18, 1948: Work of the Economic and Social Council.....	246
B. Canadian Statement, General Assembly, December 10, 1948: Declaration of Human Rights.....	247
C. Universal Declaration of Human Rights, as approved by the third session of the General Assembly of the United Nations, December 10, 1948.....	249
(IV) ADMINISTRATIVE AND BUDGETARY	
A. Canadian Statement, Fifth Committee, September 26, 1948: Budget of the United Nations.....	256
B. Canadian Statement, Fifth Committee, September 29, 1948: Scale of Contributions.....	258
(V) LEGAL	
A. Canadian Statement, Sixth Committee, December 7, 1948: Chilean Complaint against the U.S.S.R.....	261
B. General Assembly Resolutions, December 9, 1948: Prevention and Punishment of the Crime of Genocide....	263
(VI) MEMBERS OF THE ATOMIC ENERGY COMMISSION, THE SECURITY COUNCIL, THE ECONOMIC AND SOCIAL COUNCIL, THE TRUSTEESHIP COUNCIL, THE INTERNATIONAL COURT OF JUSTICE AND OF THE STANDING COMMITTEES OF THE GENERAL ASSEMBLY.....	268
(VII) LIST OF NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS WITH THE ECONOMIC AND SOCIAL COUNCIL	273
(VIII) PUBLICATIONS DURING 1948 OF THE DEPARTMENT OF EXTERNAL AFFAIRS ON THE UNITED NATIONS AND SPECIALIZED AGENCIES.....	275
(IX) UNITED NATIONS DOCUMENTS, 1948: A SELECTED BIBLIOGRAPHY.....	278

## PREFACE

### THE STRUCTURE OF THE UNITED NATIONS

#### Principal Organs

##### The General Assembly

The General Assembly consists of the fifty-eight states which are members of the United Nations. Each member has one vote in the Assembly. Each member may send to a session of the Assembly five representatives, five alternate representatives and as many advisers and experts as it considers necessary.

The regular annual session of the General Assembly begins each year on the third Tuesday of September. Special sessions may also be held. Thus a special session was held to discuss the Palestine question in April-May, 1948.

Each regular session opens with a general debate, during which the head of each delegation may make a statement indicating the views of his government on the international situation in general, and on the items on the agenda in particular. The items on the agenda are then referred to the committees of the Assembly. The committees, after considering the items referred to them, report their conclusions, together with any resolutions they may have prepared, to the Assembly for final consideration.

The Assembly has six main committees, on which each delegation is represented:—

- First Committee—Political and Security;
- Second Committee—Economic and Financial;
- Third Committee—Social, Humanitarian and Cultural;
- Fourth Committee—Trusteeship;
- Fifth Committee—Administrative and Budgetary;
- Sixth Committee—Legal.

At the first part of its third session the General Assembly created an Ad Hoc Political Committee to consider a number of items on the agenda of the First Committee which, it seemed certain, would not be able to complete all the business with which it was charged.

The Assembly also has two procedural committees: a steering committee called the General Committee, consisting of the President of the Assembly, the seven Vice-presidents, and the Chairmen of the six committees (these officers are elected at each session); and a Credentials Committee, consisting of nine members elected at the beginning of each session of the General Assembly to verify the credentials of delegates.

There are also four Standing Committees which have been established to deal with continuing problems. They are;

1. The Advisory Committee on Administrative and Budgetary Questions
2. Committee on Contributions
3. Board of Auditors
4. International Law Commission.



In addition, the General Assembly or any of its committees may establish committees and commissions for special purposes. Among others, the following special committees and commissions are now functioning:

1. The Interim Committee
2. The United Nations Commission on Korea
3. The United Nations Special Committee on the Balkans
4. Special Committee on Information transmitted under Article 73e of the Charter
5. Headquarters Advisory Committee.

Committees take decisions by a majority of the members present and voting. The Assembly decides important questions by a two-thirds majority of the members present and voting, and other questions by a majority.

### **The Security Council**

The Security Council consists of five permanent members (China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America), and six non-permanent members selected for two-year terms by the Assembly at its regular annual session. Non-permanent members are not eligible for immediate re-election.<sup>1</sup> The Security Council is so organized as to be able to function continuously.

There are two Standing Committees of the Security Council with the same membership as the parent body. These are the Committee of Experts which was established to advise the Security Council on the application of its rules of procedure; and the Committee on the Admission of New Members, which examines all applications for membership in the United Nations.

### **The Military Staff Committee**

The Military Staff Committee is a subsidiary organ of the Security Council. It consists of the Chiefs of Staff (or their representatives) of the permanent members of the Security Council.

### **The Commission for Conventional Armaments**

The Commission for Conventional Armaments is composed of representatives of the eleven members of the Security Council. It considers and reports to the Council on proposals for the general regulation and reduction of armaments and armed forces. It may not, however, deal with matters within the competence of the Atomic Energy Commission.

### **Atomic Energy Commission**

The Atomic Energy Commission was created by the General Assembly by a resolution of January 24, 1946, and is a subsidiary organ of the Assembly. It consists of six permanent members (Canada, China, France, the U.S.S.R., the United Kingdom, and the U.S.A.), and the non-permanent members of the Security Council.

It is responsible for proposing specific solutions of the problems raised by the discovery of atomic energy and related matters. It submits its reports and recommendations to the Security Council and receives directions from the Council.

---

<sup>1</sup> Membership of the Security Council for 1949 is given in Appendix VI., pp., 268-272.



## **The Economic and Social Council**

The Economic and Social Council consists of eighteen Members of the United Nations elected for three-year terms by the Assembly at its regular annual session. Members are eligible for immediate re-election.<sup>1</sup>

It has established twelve commissions. The Council elects states as members of the commissions and each state nominates an expert to serve on the commission. They are:—

Economic and Employment	Social
Fiscal	Statistical
Human Rights	Status of Women
Narcotic Drugs	Transport and Communications
Population	

In addition there have been three commissions established to deal with problems relating to specific areas. They are:

Economic Commission for Asia and the Far East  
 Economic Commission for Europe  
 Economic Commission for Latin America.

## **The International Children's Emergency Fund**

The International Children's Emergency Fund was established by the General Assembly by a resolution of December 11, 1946, to provide assistance to children and adolescents, especially of countries which were victims of aggression. The Fund is administered by an Executive Director under policies established by an Executive Board, in accordance with principles laid down by the Economic and Social Council. The Executive Director is appointed by the Secretary-General of the United Nations. The Executive Board is designated by the General Assembly and consists of the representatives of twenty-five member states and Switzerland which is not a member of the United Nations.

## **The Trusteeship Council**

China, France, the U.S.S.R., the United Kingdom, and the U.S.A. are permanent members of the Trusteeship Council. Australia, Belgium and New Zealand are also permanent members, since they administer trust territories. Any other state which becomes the administrator of a trust territory will become a permanent member of the Trusteeship Council. The Assembly elects to the Trusteeship Council whatever number of other states is required to create an equal balance in the Council between states which administer trust territories and those which do not. These elected members serve for three-year terms and are eligible for immediate re-election.<sup>2</sup>

## **The International Court of Justice**

The International Court of Justice is the principal judicial organ of the United Nations. It consists of fifteen judges, elected by the General Assembly and the Security Council for nine-year terms. Judges are eligible for immediate re-election.<sup>3</sup>

<sup>1</sup> Membership of the Economic and Social Council for 1949 is given in Appendix VI, pp. 268-272.

<sup>2</sup> The membership of the Trusteeship Council in 1949 is given in Appendix VI, p. 270.

<sup>3</sup> The membership of the Court in 1949 is given in Appendix VI, p. 271.

Since, at the first election in February, 1946, all fifteen judges were being elected, it was necessary to choose by lot five to serve for nine years, five for six, and five for three. Five judges were therefore elected at the third regular session of the Assembly in 1948.<sup>1</sup>

The seat of the Court is at The Hague, but the Court may sit elsewhere.

### **The Secretariat**

The Secretariat consists of the Secretary-General (Mr. Trygve Lie), eight assistant secretaries-general, and about three thousand other members of the staff.

The Secretary-General is appointed for a five-year term by the General Assembly on the recommendation of the Security Council. He is eligible for appointment for a further five-year term. He appoints the other members of the Secretariat, under regulations established by the Assembly and in accordance with the provision of the Charter that the "paramount consideration . . . shall be the necessity of securing the highest standards of efficiency, competence and integrity".

The Secretariat is divided into eight departments, each of which is directed by an assistant secretary-general:

- (1) Security Council Affairs, Mr. A. A. Sobolev;
- (2) Economic Affairs, Mr. David Owen;
- (3) Social Affairs, Mr. Henri Laugier;
- (4) Trusteeship and Information from Non-Self Governing Territories, Dr. Victor Hoo;
- (5) Public Information, Mr. Benjamin Cohen;
- (6) Legal, Dr. Ivan Kerno;
- (7) Conference and General Services, Mr. Adrian Pelt;
- (8) Administrative and Financial Services, Mr. Byron Price.

### **Budget**

The expenses of the United Nations are, at present, approximately \$41,650,000 (U.S.) a year. The budget must be approved by a two-thirds vote of the General Assembly. The Assembly, also by a two-thirds vote, approves of the apportionment of the expenses among the Members of the U. N.

### **Constitution**

The United Nations has a written constitution, the Charter of the United Nations, drawn up at the San Francisco Conference in 1945 on the basis of the Dumbarton Oaks Proposals. This Constitution is supplemented by rules of procedure of the respective organs of the United Nations.

Formal amendments of the Charter come into force only when they have been adopted by a vote of two-thirds of the members of the General Assembly and ratified by two-thirds of the members of the United Nations, including all the permanent members of the Security Council.

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<sup>1</sup>For an account of the elections at the third session of the General Assembly see Section I, Chapter 5, p. 32.



## Specialized Agencies

Specialized agencies are bodies which are not established by the Charter of the United Nations but are established by other inter-governmental agreements and have wide international responsibilities in economic, social, cultural, health and related fields. In order that their activities may be co-ordinated to a common end, they are brought into relationship with the United Nations by agreements negotiated with the agencies by the Economic and Social Council and approved by the General Assembly. Most of these agreements have already been concluded.

The thirteen existing or contemplated specialized agencies are:

- (1) Food and Agriculture Organization
- (2) Inter-governmental Maritime Consultative Organization
- (3) International Bank for Reconstruction and Development
- (4) International Civil Aviation Organization
- (5) International Labour Organization
- (6) International Monetary Fund
- (7) International Refugee Organization
- (8) International Telecommunications Union
- (9) International Trade Organization
- (10) United Nations Educational, Scientific and Cultural Organization
- (11) Universal Postal Union
- (12) World Health Organization
- (13) World Meteorological Organization

Ten are now in existence. It is expected that during 1949 the International Trade Organization and the Inter-governmental Maritime Consultative Organization will be established as specialized agencies.

## Non-Governmental Organizations<sup>1</sup>

The Economic and Social Council is given power by the Charter to make suitable arrangements for consultation with non-governmental organizations which are concerned with international economic, social, cultural, educational, health and related matters. A very large number of such organizations have applied for recognition.

The various organizations have been divided into three categories:

- (a) Organizations which have a basic interest in most of the activities of the Council, and are closely linked with the economic and social life of the areas which they represent.
- (b) Organizations which have a special competence, but are concerned specifically with only a few of the fields of activity covered by the Council.
- (c) Organizations which are primarily concerned with the development of public opinion, and with the dissemination of information.

---

<sup>1</sup> A list of non-governmental organizations that have been granted consultative status by the Economic and Social Council is given in Appendix VII, pp. 273-274.





## **General Survey.**





## General Survey

"Canada and the United Nations, 1948" is a report of the part played by Canada, during 1948, in the work of the United Nations and its associated specialized agencies. In the two years following the establishment of the United Nations in 1945, annual reports were prepared by the Department of External Affairs on the work of the Canadian delegations to the General Assembly, the meetings of which provide an occasion for a review of the work of the United Nations. In this year's report an effort has been made to examine the activities of the United Nations as a whole throughout the year, in order to give a more complete picture of the part taken by Canada.

It is now more than three years since the United Nations undertook to carry out the high purposes of international co-operation which are described in the Preamble to the Charter in the following words:

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples.

It may be useful at this time to consider, in the light of the experience of the year which has just passed, how the complex international machinery, which has been established by the United Nations and its associated specialized agencies, fulfils the main functions for which it was created. In this "Survey" therefore the progress in the United Nations in dealing with the problems of the current international situation is examined under the following heads: political and security, trusteeship, legal, administration and the budget.<sup>1</sup>

### *Political and Security Questions*

Progress in solving political and security questions in the United Nations in the past year has continued to be gravely retarded by the division of the world into Communist and non-Communist areas. Such a division is bound to affect seriously a world organization which depends for its effectiveness upon the voluntary co-operation of all its member states.

The great and continuing disagreement between the Communist and the non-Communist world, and particularly between the Soviet Union and the Western Powers, hung like a cloud over the General Assembly held in Paris in 1948. The Soviet Union and the states within its orbit have, throughout the year, but particularly in the General Assembly, continued to pursue their propaganda objective of representing the U.S.S.R. as a champion of peace in such matters as disarmament, and as the defender of the United Nations against what are termed disruptive efforts to curtail the use of the veto in the Security Council. They have tried to represent the Western Powers as imperialist, and their leaders as war-mongers, threatening the national sovereignty and independence of small nations and the peace of the world.

In the circumstances, on almost every important subject which was discussed during the recent session of the General Assembly, accommodation or agreement was impossible. The Canadian delegation to the General

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<sup>1</sup> An appreciation of the Economic and Social work of the United Nations during the past three years is given in Section III, Chapter I, pp. 85-89.

Assembly had therefore to limit its objectives. In the continuing debate on the way in which the world should be organized politically, economically and socially, the Canadian delegation was at pains to state its position clearly and to communicate its views on world organization in precise terms in order that these views might carry conviction to others who were willing to listen. For it cannot be assumed that agreement in support of the purposes and principles of the Charter will come automatically. The merits of the case have to be argued in the democratic manner in order that the Members of the United Nations who are willing to co-operate may do so with conviction and to good effect. For unity by agreement of all peace-loving states in the General Assembly on major political issues is in itself a condition which tends to prevent aggression.

The tensions resulting from the disagreements between the Soviet Union and the Western Powers were perhaps especially perceptible in Paris, where the meeting of the General Assembly was held this year, in such close proximity to the areas where the dispute between the East and West is focused at the present time. The fears arising from these tensions were frankly expressed in the General Assembly. For instance, the Belgian Prime Minister, M. Spaak, speaking for the Benelux countries in the opening debate in the General Assembly, said:

The Soviet delegate need not look for complicated explanations of our policy. I will tell him what is the basis of our policy—in terms, perhaps slightly cruel, but the ones a representative of a small nation uses: Do you know what is the basis of our policy? It is fear of you, fear of your government, fear of your policy!

The consequences of the division of the world between Communist and non-Communist areas, and the fears which have been engendered by the continued disagreement between the Soviet Union and the Western Powers, have had their greatest effect upon the security system of the United Nations. Under the Charter of the United Nations, the Security Council was charged with the principal responsibility of maintaining international peace by collective action. The present basic weakness of the United Nations security system lies in the inability of the Security Council, because of the present lack of co-operation between the Great Powers, (especially illustrated in the exercise of the veto by the Soviet Union), to take action under Chapter VII of the Charter in the event of a threat to the peace, breach of the peace, or an act of aggression involving one of the Great Powers.

This co-operation between the Great Powers is required for two main reasons. In order that the Council may be able to reach a decision under Chapter VII, the permanent members must at least agree to abstain rather than to cast a negative vote. If they are not thus agreed, decision and action by the Council are impossible. The co-operation of the Great Powers is also required to establish the international armed forces which are called for under the Charter to give effect to Security Council decisions. So far, the Military Staff Committee, composed of the five permanent members of the Council, which has been working out plans to meet the military requirements of the Council, has completely failed to reach agreement because of basic differences of view between the Soviet Union on the one hand and the United Kingdom, the United States, France and China on the other.



It is concern over the powerlessness of the Council to act in the event of a threat to the peace, breach of the peace or an act of aggression involving one of the Great Powers, which has led some of the Members of the United Nations, including Canada, to seek other methods, within the Charter, of obtaining security for themselves and for other peace-loving peoples. In a statement before the General Assembly in Paris on September 28, the Chairman of the Canadian delegation, Mr. W. L. Mackenzie King said:<sup>1</sup>

Security for individual nations, under such circumstances, can be assured only by the effective co-operation, and the united power of those nations whose determination to maintain their freedom constitutes a strong bond of community between them. It is not surprising therefore that certain nations, knowing that their security depends on collective action in some form, and which are not yet able to achieve that security on the universal basis which the United Nations contemplates, should, pending this large accomplishment, seek to achieve their security on a less than universal basis.

The Charter of the United Nations expressly bases security upon collective action by the Members of the Organization. This indeed is the first and principal purpose of the United Nations.

Article 51 of the Charter however recognizes the "inherent" right of self-defence collectively as well as individually "until the Security Council has taken the measures necessary to maintain international peace and security".

The year 1948 has seen continuing efforts to establish pacts of collective self-defence within the United Nations so that nations, by exercising their right of self-defence against aggression under Article 51, may make preparations in advance to deter aggression. It is on this basis that the pact between the Brussels Powers (the United Kingdom, France and Benelux) was signed on March 17, 1948. Consultations also began in 1948 on a diplomatic level, between the representatives of the Brussels Powers and the United States and Canada, with a view to a pact of collective self-defence of the nations in the North Atlantic. The treaty of Rio de Janeiro, binding the republics of the Western Hemisphere to mutual defence against aggression (negotiated in August-September, 1947) became operative on December 3, 1948 upon its ratification by the required two-thirds of its participating states.

Another important consequence of the division of the world into Communist and non-Communist areas has been that during the year no progress towards agreement has been possible on the important questions of the international control of atomic energy and of general disarmament.

This year the Soviet Union, while continuing to press for the immediate banning of atomic bombs, also introduced a proposal at the third session of the General Assembly that the five Great Powers should, as a preliminary to general disarmament, immediately reduce their armaments and armed forces by one-third.

The Western Powers on the other hand, remembering the costly experience of unilateral disarmament by peace-loving states in the years

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<sup>1</sup> For the full text of Mr. King's statement see Appendix I-A, pp. 199-203. See also statement of the Secretary of State for External Affairs in the House of Commons, April 29, 1948, Appendix I-B, pp. 204-206.



following the war of 1914-18, have insisted upon the principle that disarmament must follow—not precede—the establishment of an effective system of security.

This principle was asserted when the General Assembly rejected the Soviet proposal for a one-third reduction in the armed forces of the five Great Powers, and instead asked that the Commission on Conventional Armaments should continue its work of formulating proposals for a system of disarmament which would give no individual state an advantage over any other state, and would provide for an effective system of international control and inspection.<sup>1</sup>

The principle that adequate conditions of security must be established to enable disarmament to proceed safely and equitably has also been followed in dealing with the question of the international control of atomic energy. Thus, the proposals of the Soviet Union for the immediate banning of atomic bombs and the destruction of existing stocks of bombs were rejected, and the Assembly instead adopted a resolution, approving the plans worked out by the United Nations Atomic Energy Commission which envisage that atomic weapons will be banned and existing stocks destroyed only when all nations have an assurance, through mutually acceptable safeguards and an effective international system of control and inspection, that atomic warfare will not be prepared in secret.<sup>2</sup> The General Assembly also decided that the Atomic Energy Commission should continue its work on “such of the subjects remaining in the programme of work as it considers to be practicable and useful”. Meanwhile, the six permanent members of the Commission (the five Great Powers and Canada), have been requested by the Assembly to meet in a further effort to search for a basis for agreement on the international control of atomic energy.

The Charter requires all Members of the United Nations to “settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered” (Article 2, paragraph 3). The year 1948 marked some progress, even though in a limited degree, in the pacific settlement of international disputes.

Although the United Nations, on account of the continued disagreements between the Great Powers to which reference has been made above, has lacked both the authority and the means to impose a settlement (as for instance in Palestine),<sup>3</sup> it has been able, through truce and mediation procedures initiated by the Security Council and by the General Assembly, to bring an impartial moderating influence to bear and to localize threatening conflicts.

Examples can be cited of the manner in which the United Nations can use its authority effectively and usefully, if it does not extend its responsibilities beyond what it can appropriately undertake to do. The Security Council intervened in disputes which arose between India and Pakistan, and also in Indonesia. In both interventions, the Council was careful to avoid trying to use coercive powers. Instead, the Council used its powers of mediation and gave advice to the parties in dispute, and sent out commissions to facilitate direct negotiation and the adjustment of their differences through compromise. Though it has not in this way been able to

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<sup>1</sup> See Section II, Chapter 4 on Disarmament, pp. 48-50.

<sup>2</sup> See Section II, Chapter 1 on Atomic Energy, pp. 37-41.

<sup>3</sup> See Section II, Chapter 14 on Palestine, pp. 74-77.

prevent fighting or to ensure a peaceful settlement, it has helped to localize disputes and to exercise some restraining influence on the parties.<sup>1</sup>

Most of the work done by the Security Council to date has been directed to the peaceful settlement of differences and to the adjustment of situations which might lead to war. Indeed, this is the kind of duty which it was anticipated would form the normal business of the United Nations security system. In the past year efforts have been made to improve the existing procedures and machinery for peaceful settlement so that it might work more smoothly, promptly and effectively. Notably, it is now the practice to arrange private consultations, with the assistance of the President of the Council, between parties to a dispute, after the matter has been placed on the agenda of the Council. Thus a peaceful settlement can at times be facilitated, since the parties to a dispute may discuss and negotiate in private, where mutual concessions and compromises are easier to make than in public. This procedure proved helpful in dealing with the Kashmir dispute. Moreover, private consultations between representatives of members of the Security Council, not directly involved in a dispute, may be undertaken in order to work out a fair and equitable basis of peaceful settlement of a dispute by those directly concerned. This procedure was followed in dealing with the Berlin question when it came before the Security Council.<sup>2</sup>

If the processes of peaceful settlement run smoothly and are permitted to be applied effectively, the risk in the international disputes or tense international situations which might lead to war is reduced. Therefore, every effort to improve the methods and produces of peaceful settlement has been supported by Canada, not only in the Security Council, but also in the Interim Committee of the General Assembly. This Committee prepared a recommendation to the General Assembly this year on the general principles of co-operation in the maintenance of international peace and security. It recommended the establishment of a panel of conciliators, made recommendations for the use of methods of conciliation in the Security Council and the General Assembly and requested the restoration of the General Act of 1928 for the Pacific Settlement of Disputes. It also recommended steps to reduce the application of the veto, which has so severely crippled the functioning of the Security Council even in the field of pacific settlement of disputes.<sup>3</sup>

As long as a fundamental antagonism continues between the Communist and non-Communist parts of the world, too much cannot be expected of the United Nations in the solution of political and security problems through the agency of the Security Council and the General Assembly. However, some successes, even though limited, have been noted in the pacific settlement of disputes during the past year. These are not spectacular operations. However, it is the aim of the Security Council and of the General Assembly to prevent disputes from becoming spectacular. The constant objective has been to bring the influence of third-party judgment to bear upon the parties in dispute, in order to localize the conflict and to resolve the differences by methods of negotiation and peaceful settlement.

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<sup>1</sup> See Section II, Chapter 8 on India-Pakistan Dispute, pp. 56-58 and Section II, Chapter 9 on Indonesia, pp. 59-63.

<sup>2</sup> See Section II, Chapter 2 on Berlin, pp. 42-45.

<sup>3</sup> See Section II, Chapter 10 on Interim Committee, pp. 64-66.



In the great political issues of the present time the United Nations has served to provide an important international forum in which public opinion can express itself. This is in itself important for although the debates may in themselves contribute little or nothing towards a lasting settlement, open and continuous discussion of the points at issue serves to create a vigilant and informed public opinion, aware of present dangers. The United Nations, moreover, still serves as a bridge or means of contact between the Communist and non-Communist areas in the present divided world. When direct negotiations between the Soviet Union and the Western Powers break down, as for instance in the case of Berlin or Korea, the United Nations provides an opportunity for a further effort to negotiate a peaceful solution of the problem.

Moreover, the basic weakness of the United Nations at the present time has been shown to lie in the inability of the Security Council to reach decisions or to take effective action in the event that one of the Great Powers is involved in a threat to the peace, a breach of the peace or an act of aggression. In order to meet this serious gap in the United Nations security system, Members of the United Nations have had to turn to regional defence arrangements under Article 51 of the Charter. In this way an inner security system is being built up to stabilize the international position and to prevent aggression until a way is found to make a security system on a universal basis effective.

### *The Trusteeship System*

The process of transition from the League of Nations mandate system to the trusteeship system of the United Nations was virtually completed in the year under review, except in South-West Africa, which the Union of South Africa does not desire to place under trusteeship. Trusteeship agreements, confirmed by organs of the United Nations in 1946 and 1947, are now in effect in ten different territories formerly under mandate. Six of these are in Africa, four in the Pacific.

The composition and functions of the Trusteeship Council give that body far more power than was possessed by the Permanent Mandates Commission of the League of Nations. The chief differences are that the members of the Trusteeship Council speak with the authority of government representatives, all administering authorities have seats, and the presence of an equal number of representatives of non-administering states gives the Trusteeship Council a balance which the Mandates Commission lacked. The Trusteeship Council performs all the functions that were exercised by the Mandates Commission (drafting questionnaires and examining and commenting on annual reports and written petitions) and in addition hears oral petitions, sends visiting missions to trust territories and accepts special assignments falling outside the immediate scope of trusteeship agreements. It is a more flexible and authoritative body, and has already demonstrated its ability to act more quickly and effectively than the Permanent Mandates Commission, which was a purely advisory body composed of individual experts who might not accept employment by their respective governments.

In 1948 the Trusteeship Council for the first time began the routine examination of annual reports on the administration of trust territories. For the first time also it sent a visiting mission for a routine examination of conditions prevailing in two trust territories in Africa.



The Trusteeship Council has shown an unfortunate tendency to become a debating ground between representatives of the Eastern and Western blocs, and attacks on administering authorities on general grounds have consumed much time that might have been spent more profitably on constructive debate on specific issues. However, a growing impatience with this aspect of the Trusteeship Council's proceedings may result in an improvement of the debates in 1949.

### *Non-Self-Governing Territories*

The United Nations is still feeling its way towards a decision on what its functions should be in relation to non-self-governing territories outside the trusteeship system. Annual reports on economic, social and educational developments in these territories are received from eight administering powers; of these six are voluntarily supplying information on political developments as well. What practical use is to be made of these reports is a major issue which this year's discussions did not settle.

It was the understanding of administering powers, when they agreed at San Francisco to the inclusion in Chapter XI of the Charter of a declaration on non-self-governing territories, that they were undertaking to supply certain information and to observe certain principles but that nothing in the declaration implied the exercise of supervisory functions by the United Nations. It was merely intended that with the aid of the United Nations a system of standard reporting should be inaugurated, which would facilitate scientific study of the problems of dependent territories by qualified persons, stimulate both co-operation and a healthy rivalry among administering powers and make it easier for specialized agencies to offer appropriate assistance in improving the lot of the inhabitants of dependent territories. Some Members of the United Nations, however, are engaged in a determined effort to have a permanent committee of the United Nations appointed to examine the annual reports, with authority to question representatives of the administering powers and to comment on administrative policies. The matter is likely to come up for consideration again in 1949.

Meanwhile specialized agencies are already at work on problems of non-self-governing territories. The ILO, which decided in 1945 to see what could be done about applying to dependent territories the minimum standards of social policy accepted in metropolitan territories, has been making quiet progress in this direction. It is also studying the problem of migrant labour. UNESCO is conducting educational studies in East Africa, the International Children's Emergency Fund is operating in several non-self-governing territories, and other specialized agencies have expressed a desire to give assistance in their respective fields.

Already, as a result of the inclusion in the Charter of the declaration on non-self-governing territories, several practical advantages have become apparent. The United Nations now has at its disposal more information on conditions in colonial dependencies, inhabited by 200,000,000 people, than is available on conditions in many of its own Member states. The possession of this information, compiled on a basis which makes comparative analysis possible, provides specialized agencies with invaluable aids in planning necessary projects for improving world conditions generally. The excellent progress made in certain fields by administering powers on their own initiative is becoming better known and may therefore be emulated

more readily by other administrations, possibly in independent states as well as in colonial areas.

### *Principal Judicial Developments*

There were no developments of outstanding significance during 1948 in the field of international law. Progress in 1948 was, however, of such a nature as to facilitate work in the future. The record of the International Court of Justice will probably encourage its greater use; the International Law Commission was finally organized, and the Legal Committee of the General Assembly was able to make progress despite ideological differences among its members.

The International Court of Justice, while its responsibilities in the field of international security are not so immediate or so important as those of the Assembly or of the Security Council, is the principal judicial organ of the United Nations. The Court is, moreover, the successor to the old Permanent Court of International Justice which, it is generally agreed, contributed substantially to the development of international jurisprudence. During 1948 five Members of the United Nations accepted the compulsory jurisdiction of the Court. In July, 1948, Switzerland became the first state not a Member of the United Nations to become a party to the Statute of the International Court.

Though the Court has thus far dealt with only two cases, (both of which came before it in 1948),<sup>1</sup> it is of great importance to have constantly available a principal organ of the United Nations capable of resolving juridical disputes between states, and of giving advisory opinions on legal matters to United Nations organs and agencies. In its first two cases, the new Court has shown itself fully worthy of the traditions of its predecessor. It may be expected, especially if international affairs become normal, that increasing use will be made of the Court and that it will contribute notably to the establishment of international order founded upon law.

The Court will itself derive material assistance from the work of the International Law Commission, a body of fifteen international legal experts appointed by the Assembly and shortly to undertake its task of developing and codifying international law.

The General Assembly, during the recent session, dealt with a variety of legal matters. The most important of these was "genocide". After considering a proposed convention on this subject, article by article, the Assembly adopted a "Convention on the Prevention and Punishment of the Crime of Genocide". Following its ratification by the various nations, the convention will be added to other international multilateral agreements, the substance of which is contributing to the evolution of international law. It is for this reason that the convention is, at least potentially, of importance. Genocide, defined as the organized destruction of groups or classes of people, is not practiced or even envisaged in Canada and there is of course no legislation on this matter. It may therefore be argued by some that Canada is not concerned. However, genocide may in some form be practised by less liberally inclined countries and the present convention proposes to make it an offence under international law.

### *Secretariat and the Budget*

The estimated budget of the United Nations for 1949 is \$38,692,578 (U.S.) and supplementary estimates for 1948 to be contributed amount to

<sup>1</sup> See Section VII, Chapter 5 on International Court of Justice, p. 196.



\$2,958,235.40 (U.S.), of which Canada's share will be 3.20%, i.e., approximately \$1,335,000 (Can.). Canada's share of the costs of the specialized agencies will amount to about \$6,386 000 (Can.). Canada continues to be vigilant toward the mounting cost of international organizations and has urged the elimination of unnecessary expenditures. Canada's representatives have repeatedly laid stress on the need for careful scrutiny of proposed expenditures and for efficient budgetary and financial administration. Canada has also continued to press for proper co-ordination of all the various activities of the United Nations and its specialized agencies to ensure that duplication of effort is avoided and that consistent fiscal controls and common budgetary and financial practices are carried out.

As for the Secretariat, it is the view of Canada that the interests of the United Nations can best be served by a body of civil servants whose character is international and whose loyalties are wholly devoted to the organization rather than to the states of which they are citizens. Concerning the composition of the Secretariat, the Canadian view continues to be based upon the principles of securing the highest standard of efficiency, competence and integrity, while at the same time bearing in mind the importance of recruiting the staff on as wide a geographical basis as possible. During the year there were 130 Canadian nationals employed in the United Nations.

In spite of the difficulties and complexities of its task, the Secretariat has shown itself capable of meeting the heavy responsibilities expected of it. In the past year, particularly, the Secretariat has been put to severe tests of its loyalty and efficiency, especially in the United Nations missions sent to such hazardous areas as Palestine, Kashmir and Korea. The tragic deaths of Count Bernadotte, the late Mediator for Palestine, and others who shared the dangers of the assignment in Palestine, are examples of the willingness of the servants of the United Nations to sacrifice themselves for its ideals.

### *Conclusions*

The United Nations has not yet achieved sufficient strength to resolve the major political problems of the contemporary world, nor has it yet been able to provide to its Members the degree of security which would enable them to put it to full use for the peaceful settlement of international disputes. Despite its evident shortcomings, however, the United Nations has already demonstrated its usefulness in the development of international co-operation and in the maintenance of peace. The machinery which it has at its disposal is in the process of development, and is being tested through practical application in actual cases. Even though the growth of world government must be slow and painful, and though the experiment may be cut short by emergencies which are too great for the United Nations to overcome, the purposes of the organization nevertheless remain valid. On the foundations which were laid in the Charter, and through the experience which it has gained in its brief but vigorous life, the United Nations may still provide to the peoples of the world the means to resolve their problems by negotiation and compromise, rather than by force.

The United Nations Charter offers a common standard of international conduct. It serves to act as a restraint upon purely national interests, and points the way to a world organized by peaceful processes. The United Nations, which is based upon this Charter, embodies a recognition of the



growing interdependence of the peoples of the world. All those nations which are willing to co-operate, have in the United Nations, a means of taking effective common action for the maintenance of peace and for their common welfare.

In the chapters that follow, the many questions which have formed the subject matter of discussion and action by the United Nations in the past year are examined. The activities and attitude of the Canadian Government and of its representatives have had to be given in summary form. For a full record of the Canadian position, reference must be made to the many official statements which have been made in the course of the year, a selection of which is given in the appendices to this Report.

## **I. Membership of the United Nations.**





# I. MEMBERSHIP OF THE UNITED NATIONS

## 1. Applications for Membership<sup>1</sup>

Article 4 of the Charter provides that membership in the United Nations is "open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations." Admission of any such state "will be effected by a decision of the General Assembly upon the recommendation of the Security Council".

In 1948 only one new member-state, Burma, was admitted to the United Nations. The application of Ceylon which applied for membership in May of 1948, and again in August, was rejected on both occasions because the representative of the U.S.S.R. voted against it.

In April 1948, the representatives of France, the United Kingdom and the United States on the Security Council requested reconsideration of the applications of Italy, Transjordan, Eire, Portugal and Austria. The representative of the Ukrainian S.S.R. requested reconsideration of the applications of Albania, Bulgaria, Finland, Hungary, Italy, Mongolian People's Republic and Roumania. After discussion in the Council, a vote was also taken on April 10, 1948, on Italy's admission. The vote was nine (including Canada) in favour with the representatives of the U.S.S.R. and the Ukrainian S.S.R. voting against; the application was therefore vetoed. In explaining his renewed veto<sup>2</sup> of Italy's application, the Soviet representative said that his Government would agree to admit Italy if Bulgaria, Hungary, Finland and Roumania were also admitted. Since the United Kingdom and United States representatives had clearly stated that these applications would not be approved, he would therefore vote against Italy's admission.

After the veto of Italy's application by the Soviet Union it became evident that the members of the Security Council were not willing to change their attitude in regard to the admission of the other outstanding applications and the Security Council therefore agreed to postpone further discussion of these applications and to report this to the third session of the General Assembly.

On April 19, 1948, the special session of the General Assembly approved the Security Council's recommendation to admit Burma.

At the third session of the General Assembly several resolutions were submitted to its Ad Hoc Political Committee which considered the question of the admission of new members. Australia sponsored a resolution recommending that each member of the Security Council and the General Assembly should act in accordance with the views of the International Court of Justice, which, in an advisory opinion requested by the second session of the General Assembly, had stated that a member of the United Nations is "not juridically entitled to make its consent to admission dependent on conditions not expressly provided by paragraph one of Article 4". Australia

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<sup>1</sup> For a summary of the discussions on the admission of new members in 1946 and 1947 see *The United Nations, 1946*, Conference Series 1946 No. 3 pp. 46-50 and *Canada at the United Nations, 1947*, Conference Series 1947 No. 1, pp. 67-73.

<sup>2</sup> The U.S.S.R. voted against Italy's first application for admission in August 1947.

also submitted six separate resolutions stating that the opposition to the applications of Portugal, Transjordan, Italy, Finland, Ireland and Ceylon was based on grounds not included in Article 4 of the Charter, and requested the Security Council to reconsider these applications. The United States submitted a resolution asking the Security Council to reconsider the application of Austria. These resolutions, which were approved by the majority of the Ad Hoc Political Committee and by the General Assembly in plenary session, were opposed by the six Eastern European States.

The General Assembly also adopted a Swedish resolution requesting the Security Council to consider all previously rejected applications. Canada, together with several other members, abstained in the voting on this resolution, since the preamble contained the phrase "having noted the general sentiment in favour of the universality of the United Nations". This introduces a principle not mentioned in the Charter.

During the general debate in the Ad Hoc Political Committee, the Canadian representative stated that any attempt to impose conditions for membership in the United Nations other than those set forth in Article 4 constituted a violation of the Charter. He stated in addition, that the Canadian delegation deplored any attempt to make one state's admission conditional upon the admission of other states<sup>1</sup>.

On December 14, 1948, at the request of the third session of the General Assembly, the Security Council reconsidered the application of Ceylon for membership in the United Nations. When the application was put to the vote, nine members including Canada voted in favour, with two against, the U.S.S.R. and the Ukraine. The application was therefore vetoed by the negative vote of the U.S.S.R.

The Security Council on December 17 considered the application of Israel for membership. Since the vote was five in favour, one against, with five abstentions, the application failed to secure the seven votes necessary for adoption. Canada abstained in the voting, and the Canadian delegate made a statement explaining the position of the Canadian Government on this matter.<sup>2</sup>

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<sup>1</sup> For the text of the statement of the Canadian representative see Appendix II-A, pp. 207-208.

<sup>2</sup> This question is discussed in Section II, Chapter 14 on Palestine, pp. 74-77.

## 2. Election of Officers of the General Assembly

The following were elected as the principal officers of the General Assembly at the third session:

President: Dr. Herbert V. Evatt (Australia).

Vice-Presidents (7): The heads of the delegations of China, France, the U.S.S.R., the United Kingdom, the United States, Mexico and Poland.

Officers of the Committees:

### *First Committee (Political and Security)*

Chairman: M. Paul-Henri Spaak (Belgium)

Vice-Chairman: Dr. Adolfo Costa du Rels (Bolivia)

Rapporteur: Mr. Selim Sarper (Turkey)

### *Second Committee (Economic and Financial)*

Chairman: Sr. Hernan Santa Cruz (Chile)

Vice-Chairman: Mr. Vasili P. Smoliar (Byelorussian S.S.R.)

Rapporteur: Mr. Finn Moe (Norway)

### *Third Committee (Social, Humanitarian and Cultural)*

Chairman: Dr. Charles Malik (Lebanon)

Vice-Chairman: Mrs. Bodil Begtrup (Denmark)

Rapporteur: M. Emile St.-Lot (Haiti)

### *Fourth Committee (Trusteeship)*

Chairman: Mr. Nasrollah Entezam (Iran)

Vice-Chairman: Dr. Carlos A. Vasconcellos (Paraguay)

Rapporteur: Mr. Kristen Lannung (Denmark)

### *Fifth Committee (Administrative and Budgetary)*

Chairman: Mr. L. D. Wilgress (Canada)

Vice-Chairman: Mr. Andrei I. Galagan (Ukrainian S.S.R.)

Rapporteur: Mr. Olyntho Machado (Brazil)

### *Sixth Committee (Legal)*

Chairman: Dr. Ricardo Alfaro (Panama)

Vice-Chairman: Prince Wan Waithayakon (Siam)

Rapporteur: Mr. Jean Spiropoulos (Greece)

### *Ad hoc Political Committee (created on November 16, 1948)*

Chairman: General Carlos P. Romulo (Philippines)

Vice-Chairman: Professor Vladimir Prochazka (Czechoslovakia)

Rapporteur: Dr. Homero Viteri-Lafronte (Ecuador)



### **3. Elections to the Security Council**

The General Assembly at its third session elected three non-permanent members of the Security Council to replace Belgium, Colombia and Syria, since their two-year terms of membership expired on December 31, 1948. The elections took place on October 8, 1948; Cuba and Norway were elected on the first ballot, and Egypt on the fourth ballot. Cuba, Norway and Egypt will retain their membership in the Security Council until December 31, 1950. Canada is a member of the Security Council until December 31, 1949.

#### **4. Elections to the Economic and Social Council**

The General Assembly, at its third session, elected six members to the Economic and Social Council to replace Canada, Chile, China, France, the Netherlands and Peru, since their three-year terms of membership expired on December 31, 1948.

The elections took place on October 8, 1948; Belgium, Chile, China, France, India and Peru were elected on the first ballot. Canada did not stand for re-election at the third session.

## 5. Elections to the International Court of Justice

The members of the International Court of Justice are elected by the General Assembly and by the Security Council from a list nominated by national groups appointed for this purpose by the governments of states members of the United Nations. Article 8 of the Statute of the International Court states that "the General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court". Candidates must obtain an absolute majority of votes in the General Assembly and in the Security Council. Article 11 of the Statute of the International Court provides that, "if after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place". On October 22, 1948, the third session of the General Assembly and the Security Council held meetings to elect judges for a nine-year term to the five positions on the Court becoming vacant on February 5, 1949.

At their first meetings the Security Council and the General Assembly both re-elected the following four judges:

Judge Abdel Hamid Badawi Pasha (Egypt)

Judge Hsu Mo (China)

Judge J. E. Read (Canada)

Judge Bogdan Winiarski (Poland)

The Security Council and the General Assembly failed, at their first meetings, to agree on the selection of a fifth member. The Security Council elected Sir Benegal Narsinga Rau (India) while the General Assembly elected Professor Jean Spiropoulos (Greece). The Security Council and the General Assembly therefore held second meetings. The Security Council selected Judge Milovan Zoricic of Yugoslavia. After three ballots, the General Assembly also chose Judge Zoricic, who was thereby named to fill the fifth vacancy. The Court was thus reconstituted with its original membership.<sup>1</sup>

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<sup>1</sup> For full membership of the Court see Appendix VI, p. 271.



## 6. Elections to the International Law Commission

On November 21, 1947, the General Assembly decided to establish an International Law Commission, to be composed of fifteen members, to promote the development and codification of public international law.<sup>1</sup> It was provided that these fifteen members should be "of recognized competence in international law" and should be elected by the General Assembly from a list of candidates nominated by Members of the United Nations.

Article 8 of the Statute of the International Law Commission provides that at the election "electors shall bear in mind that the persons elected to the Commission should individually possess the qualifications required and that in the Commission as a whole representation of the main forms of civilization and of the principal legal systems of the world should be assured." Candidates are elected for three years, but members of the International Law Commission are not expected to give their full time to this work.

Before making its nominations for election to this body, the Canadian Government consulted the National Group of Canada, a body set up in accordance with the Statute of the International Court of Justice to make nominations for membership on the Court. The Canadian Government nominated Sir Mahmood Zafrullah Khan, the Foreign Secretary of Pakistan, and Professor Kenneth H. Bailey, the Solicitor-General of Australia, both of whom subsequently indicated that they were not available for election.

The first elections to the International Law Commission were held at the third session of the General Assembly on November 3, 1948. The following candidates were elected:

Professor Ricardo J. Alfaro (Panama)  
Professor Gilberto Amado (Brazil)  
Professor J. L. Brierly (United Kingdom)  
Dr. Roberto Cordoba (Mexico)  
Professor J. P. A. Francois (The Netherlands)  
Professor Shuhsi Hsu (China)  
Judge Manley O. Hudson (United States of America)  
Judge Faris Bey el Khouri (Syria)  
Professor V. M. Koretsky (U.S.S.R.)  
Sir Benegal Narsinga Rau (India)  
Mr. Justice A. E. F. Sandstrom (Sweden)  
Professor Georges Scelle (France)  
Professor Jean Spiropoulos (Greece)  
Professor J. M. Yepes (Colombia)  
Dr. Jaroslav Zourek (Czechoslovakia).

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<sup>1</sup> See *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, pp. 159-161 and pp. 244-250.



## **II. Political and Security Questions.**





## II. POLITICAL AND SECURITY QUESTIONS

### 1. Atomic Energy

The Atomic Energy Commission of the United Nations was established by a unanimous resolution of the General Assembly in January, 1946. The Commission is composed of representatives of countries members of the Security Council, as well as Canada when Canada is not a member of the Security Council. The Commission was established to deal with "the problems raised by the discovery of atomic energy and other related matters". It submits its reports and recommendations to the Security Council, and the Security Council may transmit the Commission's reports to the General Assembly and to members of the United Nations.

In December, 1946, the General Assembly recognized that the prohibition of atomic weapons, and the control of atomic energy to ensure its use for peaceful purposes only, was an essential part of any plan to regulate and reduce armaments, and urged the "expeditious fulfilment" by the Atomic Energy Commission of its tasks. The Security Council was also to consider a draft treaty for the creation of an international system of control over atomic energy which would include the prohibition of atomic weapons.<sup>1</sup>

When the Commission first met in June, 1946, it was presented with two different plans for the international control of atomic energy; one put forward by the United States Government, and the other by the Government of the U.S.S.R. The two plans differed fundamentally, and so far the Commission has been unable to carry out the responsibilities assigned to it mainly because no basis for agreement has been found between the views of the U.S.S.R. and of the majority of the members of the Commission on the main principles which are to govern a plan for the international control of atomic energy.

In its efforts to find a basis for such agreement the Atomic Energy Commission decided at the outset to defer consideration of the political aspects of the problem, until it had first determined whether control of atomic energy was practicable from a technical and scientific point of view. First of all a Scientific and Technical Committee composed of scientific and technical advisers examined the problem, and in September, 1946, reported unanimously that "we do not find any basis in the available scientific facts for supposing that effective control is not technologically feasible".

In its first report to the Security Council submitted on December 28, 1946<sup>2</sup>, the Commission set forth a plan for the international control of atomic energy based upon proposals submitted by Mr. Baruch, (at that time the United States representative on the Atomic Energy Commission) which followed in its main concepts the Acheson-Lilienthal report<sup>3</sup>. Because of

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<sup>1</sup> See also the *Report on the First Part of the First Session of the General Assembly of the United Nations*, Department of External Affairs Conference Series 1946, No. 1, pages 49-50, and *The United Nations 1946*, Department of External Affairs, Conference Series 1946, No. 3, pages 29-40.

<sup>2</sup> Tabled in the House of Commons on March 26, 1947.

<sup>3</sup> Acheson-Lilienthal "Report on the International Control of Atomic Energy", March 16, 1946.

the great knowledge of atomic energy gained by the United States in its wartime activities, this first plan put forward in the Atomic Energy Commission by Mr. Baruch was solely the product of thinking by those most experienced in the field of atomic energy in the United States. The Canadian Government, like other governments, was not consulted in the preparation of the United States Government's proposals for the international control of atomic energy. However, the Canadian government accepted the United States' proposals as a basis upon which to begin the discussions.<sup>1</sup>

These proposals were then examined in detail by the Atomic Energy Commission to determine how they might work in practice, particularly in providing safeguards to countries complying with a system of international control against the dangers of non-compliance by any state through the diversion of materials or plants from peaceful to warlike uses. The result of this work was the subject of a second report of the Atomic Energy Commission, submitted to the Security Council on September 11, 1947,<sup>2</sup> which elaborated specific proposals showing how on many points control could be carried out. The report also considered the points of disagreement expressed by the U.S.S.R. The representative of the U.S.S.R. on the Atomic Energy Commission abstained from voting on the first report and voted against the second report.

The plan supported by the majority of the members of the Atomic Energy Commission would establish an international atomic energy authority, which would own all uranium and thorium in trust for the nations of the world from the time these substances are taken from the ground, and which would control the mining of all such ores. Production would be strictly related to consumption, and there would be no accumulation of stocks. The authority would own, operate, and manage all facilities handling dangerous amounts of these fissionable materials, and thus would control directly all the atomic energy activities in all nations which might become a potential menace to world security.

A licensing and inspection system is contemplated under the majority plan for activities of a less dangerous character, and it is provided that the authority would foster beneficial uses and research in nationally-owned establishments, limited to non-dangerous quantities. It is proposed that this system of control should be set up by stages, and after it is fully in operation, the manufacture of atomic weapons would cease, existing stocks would be disposed of, and the nuclear fuel would be converted to peaceful uses.

The Soviet Government's plans for the international control of atomic energy, which were presented originally in June, 1946, and elaborated upon in June, 1947, call for the immediate outlawing of the atomic bomb, and the destruction of all existing stocks of weapons "within a three-month period". The Government of the U.S.S.R. has admitted that international inspection and investigation is a necessary condition of any plan for international control, but it has been unwilling to accept any proposals providing for continuous inspection, and has also insisted that inspection be confined to such facilities and materials as it chooses to declare. In addition, the Soviet Government maintains that any international atomic energy authority must be subject to the jurisdiction of the Security Council, which

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<sup>1</sup> See Minutes of Proceedings and Evidence No. 9, Standing Committee on External Affairs June 5-6, 1947.

<sup>2</sup> Tabled in the House of Commons on December 9, 1947.



would mean that the Permanent Members of the Security Council could use their veto to prevent any effective action, if it should be found that they were illegally producing nuclear fuel or otherwise seriously violating international atomic controls.

The discussions in the Atomic Energy Commission in 1948 were confined to a detailed examination of the Soviet Government's proposals of June, 1947, and to the study of the organizational structure of an international control agency.<sup>1</sup>

An exhaustive examination of the Soviet Union's proposals led a majority of the members of the Commission to the view that they were inadequate to provide a basis for an international control of atomic energy which would give the nations of the world a sense of security. The views of the majority of the Commission are stated in the third report in the following terms:

"in the field of atomic energy, the majority of the Commission has been unable to secure the agreement of the Soviet Union to even these elements of effective control considered essential from the technical point of view, let alone their acceptance of the nature and the extent of participation in the world community required of all nations in this field by the first and second reports of the Atomic Energy Commission."

The majority of the governments represented on the Atomic Energy Commission were of the opinion, therefore, that the Soviet Union's proposals offered no real safeguard against the diversion of atomic materials to illegal uses or the concealment of atomic installations engaged in the production of nuclear fuel.

The third report of the Atomic Energy Commission, prepared in May, 1948, outlined the work of the Commission during 1948<sup>2</sup> and stated that the differences between the majority of the members of the Atomic Energy Commission and the U.S.S.R. had made it impossible for the Atomic Energy Commission to continue the preparation of a draft treaty for the international control of atomic energy. This report was adopted by the Atomic Energy Commission in May, 1948 by a majority of nine affirmative votes, the representatives of the U.S.S.R. and Ukrainian S.S.R. voting against it. In submitting its third report to the Security Council, the Atomic Energy Commission recommended that this report and the two previous reports be transmitted to the General Assembly "as a matter of special concern".

In June, 1948, the Security Council approved a resolution submitted by the representative of Canada, that the three reports of the Atomic Energy Commission, together with the deliberations of the Security Council on this subject, be transmitted to the third session of the General Assembly "as a matter of special concern".

The three reports were considered in the First Committee of the General Assembly at its third session and a number of countries, including Canada, put forward resolutions containing proposals on atomic energy.

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<sup>1</sup> For statement on the work of the Atomic Energy Commission made by the Canadian representative on the Commission in the First Committee of the General Assembly see Appendix II-B(1)pp. 208-210.

<sup>2</sup> See also *Third Report of the Atomic Energy Commission to the Security Council, 17 May, 1948*, Official Records of the Atomic Energy Commission, Third Year, Special Supplement, pp. 1-5.

The First Committee adopted a resolution with some amendments by a vote of 41 to 6 with 10 abstentions. This resolution upon the proposal of the Canadian delegate approved the general findings of the first report and the specific proposals of the second report and noted with concern the impasse which has been reached in the work of the Atomic Energy Commission as shown in its third report. It requested the permanent members of the Atomic Energy Commission to consult together "in order to determine if there exists a basis for agreement on international control" and called upon the Atomic Energy Commission to resume its sessions. The resolution as adopted represented an important modification of the original proposal put forth by Canada and supported by the United States, the United Kingdom, and France that negotiations in the Atomic Energy Commission be suspended indefinitely. In putting forward the original resolution the Canadian representative made it clear that it was designed only as a basis for discussion and that it would probably require amendment. It became clear in the course of debate that representatives of a number of countries were in favour of instructing the Atomic Energy Commission to renew its efforts. The Canadian representative accordingly agreed to amend the Canadian resolution to take account of the wishes of these members.

The amended resolution was approved by the General Assembly as its first major political decision on November 4, 1948, by a vote of 40 to 6 with four abstentions.<sup>1</sup>

Canada has a special interest in the establishment of a practicable system for the control of atomic energy, which will protect the nations of the world from the dangers of atomic war, and which will give freedom to use atomic energy for peaceful purposes. Canada had an early start in the development of atomic energy as a producer of uranium ore and as an associate with the United States and the United Kingdom in the development of atomic energy during the war. In this way, Canadian scientists and engineers have acquired special skills and knowledge in the field. These conditions have enabled Canada to develop scientific research in the field of atomic energy on a national scale. At the same time, it has been realized that the full benefits of atomic energy will only be developed through the association of all nations in a system of international control, rather than through the development of atomic energy on a national basis.

The position of the Canadian representative on the Atomic Energy Commission, moreover, has been that atomic warfare cannot be prohibited, or international development of atomic energy assured, except on a basis which provides adequate security for all nations. Since the principles whereby these two objectives may be realized have been incorporated in the majority reports of the Atomic Energy Commission, Canada has supported these reports. It was for this reason that the Canadian delegation introduced a draft resolution, in the Security Council in June, 1948, directing the Secretary-General to transmit the reports of the Atomic Energy Commission to the General Assembly. The Canadian delegate also introduced a resolution in the Political Committee of the General Assembly in October, 1948, recommending the acceptance of the reports as a basis for further progress towards a solution of the complicated problems of preventing atomic warfare and freeing the world's resources of atomic energy for peaceful purposes.

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<sup>1</sup> For statement of the Canadian representative in the General Assembly on November 4 see Appendix II-B(2), pp. 210-212, and for the text of this resolution see Appendix II-B(3), pp. 212-213.



The Canadian delegation has also associated itself with every effort to explore the possibility of agreement between the Soviet Union and the other members of the Atomic Energy Commission. Therefore, the Canadian delegation agreed to the inclusion, in its original proposal submitted to the Political Committee of the General Assembly, of a provision that the Five Great Powers and Canada should meet to consult together in order to determine if there exists a basis upon which an agreed solution might be found to the problem of the control of atomic energy, in particular, by the removal of the political difficulties which, at present, constitute the main obstacle to agreement.



## 2. Berlin

The Berlin blockade was already three months old when, on September 29, the Governments of the United Kingdom, United States and France brought its existence to the attention of the Security Council as a threat to international peace and security. The three intervening months had been spent in trying to reach agreement by direct negotiation with the U.S.S.R. in fulfilment of the terms of Article 33 of the Charter.

The blockade itself was the outcome of extensive efforts on the part of the Western Powers to reach a basis for a general German settlement. In the absence of any substantial agreement with the Soviet Government, the Western Powers found themselves obliged from time to time to take measures for the economic rehabilitation of Germany. It was in reaction to these efforts that the Soviet Government withdrew its representative from the Allied Control Council on March 20, thereby eliminating the organ of supreme four-power control for all Germany. Later the Soviet representative similarly refused to take part in the work of the Kommandatura, the four-power organ of military government for all Berlin. These moves were accompanied by declarations that the Western Powers by their actions in Western Germany had forfeited the right to take part in the occupation and administration of Berlin and that their continued presence in the city was therefore unjustified.

This attitude of the Soviet Government culminated in the blockade of Berlin which began on June 19, the day after a currency reform was announced for Western Germany. The restrictions then placed on communications with Berlin were declared by the Soviet Union to be due in part to technical difficulties, and at the same time to the necessity of protecting the old currency which was then still valid in the Eastern zone. There was a series of conferences among the Military Governors where the possibilities were discussed of using a single currency, probably that used in the zone occupied by the U.S.S.R., subject to four-power control so far as Berlin was concerned. The Western Powers had originally excluded Berlin from the currency reform for Western Germany in the hope that a Four-Power agreement might be reached on the currency to be used in that city. Their insistence on Four-Power control over the Berlin currency arose from the conviction that otherwise the Soviet authorities would be able, if they chose, to stifle the economic life of Western Berlin or to manipulate the new currency for their own purposes. The Soviet authorities refused to agree to Four-Power control and announced a currency reform of their own to cover the Soviet zone and all of Greater Berlin. The Western Powers thereupon introduced a special currency into the Western sectors of the city in order to prevent the economic absorption of their sectors of Berlin into the Soviet zone.

Meanwhile additional restrictions on communications were imposed by the Soviet Government and, even after a currency reform had been effected in the Eastern zone, no measures were taken to lift the blockade. Since the blockade not only threatened the position of the occupation forces of the United Kingdom, United States and France in Berlin but also imperilled the discharge of their responsibilities as occupying powers to the German people, the Western Powers developed the Berlin airlift by which it was hoped that their position in Berlin could be maintained.

Further measures were taken in Berlin by the Soviet Government to render the position of the Western occupying powers (and of the Berlin leaders who supported them) at least uncomfortable, if not actually untenable. There were various provoked or inspired disorders on the part of the citizens of Berlin and displays of force by German police enlisted by the Soviet occupation authorities. In addition, the Soviet authorities have attempted to hinder the airlift by air manoeuvres, anti-aircraft fire, and by charges of violation of air safety rules in the air corridors connecting Berlin with the Western zones.

In an effort to reach agreement with the Soviet Union the Western Powers initiated a series of talks in Moscow. These talks began on July 30 and continued until August 30, when a directive was approved for transmission to the Military Governors in Berlin instructing them to arrange for the restoration of communications and for the use of Soviet-issued currency under Four-Power control in all sectors of Berlin; thereafter it was planned to resume Four-Power talks directed toward a settlement of outstanding problems in all Germany.

The Moscow directive was discussed by the four Military Governors in Berlin during the week ending September 7, when it became apparent that agreement on the technical arrangements necessary to implement the terms of the directive could not be reached. The Soviet Military Governor introduced the question of restricting air traffic, the control of licenses by the Soviet Military Government for trade between Berlin and the Western zones as well as foreign countries, and other provisions which would have nullified the agreement that currency in Berlin would be under Four-Power control.

The Western Powers made a further *démarche* in Moscow. The results of the meeting left the Western representatives in no doubt that the Soviet Government did not intend that an agreement should be reached. France, the United Kingdom and the United States then informed the Soviet Government of their misgivings and asked for assurance that the blockade would be lifted prior to further conversations on outstanding German problems. The Soviet Government in reply offered more proposals but did not give the assurance requested by the Western Powers.

The Western Powers, on September 29, presented identical notes to the Secretary General of the United Nations bringing the matter to the attention of the Security Council as a threat to the peace. After failing to keep the question off the agenda of the Security Council, the Soviet representative on the Council refused to take part in the discussions. From October 6 to October 25, members of the Security Council not directly parties to the dispute (including the Canadian representative), met to consider whether a basis for agreement existed. On October 22 they presented a draft resolution to the Security Council which called upon the Soviet Union to raise the blockade and at the same time suggested that the Governments of the United Kingdom, the United States, France and the U.S.S.R. meet to discuss arrangements for the unification of currency in Berlin on the basis of the directive of August 30. This resolution was supported by 9 of the 11 members of the Security Council. The U.S.S.R. and the Ukrainian S.S.R. voted against it, and the resolution was thus vetoed by the negative vote of the U.S.S.R.

It became apparent that the U.S.S.R. would not raise the blockade of Berlin until a unified currency based on the Soviet mark had been established



in all sectors of Berlin, and that the Western Powers in turn were unwilling to negotiate terms by which the Soviet currency might be introduced into Western Berlin while under the duress of blockade. The principle that Soviet currency under Four-Power control might be used in the Western sectors of the city had been accepted in the Moscow talks.

On November 13 the President of the General Assembly, Dr. Evatt, and the Secretary-General of the United Nations addressed joint notes to the Governments of the United Kingdom, United States, France and the U.S.S.R. This appeal referred to the General Assembly resolution calling upon the great powers to reach speedy agreement for the settlement of a German peace treaty<sup>1</sup>. The joint note urged the Four Powers to seek a solution to the Berlin problem and suggested that conversations to this end be started immediately. In its reply the Soviet Government reiterated its position on Berlin and indicated a willingness to participate in direct negotiations for the settlement of the Berlin dispute and for the whole of Germany. The Western powers in their reply drew attention to the unsuccessful attempts that had already been made to negotiate a direct settlement and pointed out that the Berlin question was still on the agenda of the Security Council. The Western powers were of the opinion that it was in the Security Council that a solution was most likely to be found.

Meanwhile, on the initiative of Dr. Juan Bramuglia, the President of the Security Council during the Berlin discussions, the representatives of the members of the Security Council which were not directly involved in the dispute met to consider what further step they could usefully take to bring about a settlement of the dispute. As the resolution introduced into the Security Council on October 22 had failed to provide a basis for a settlement, the members of the Security Council not directly concerned in the dispute agreed that the Security Council should itself attempt to work out the essential conditions which might lead to agreement. The principal conditions to be met were the introduction of Soviet zone currency under Four-Power control in Berlin, and the simultaneous lifting of communications restrictions. A committee of experts composed of representatives of the six members of the Security Council not parties to the dispute was established. The countries directly concerned agreed to provide technical information and assistance on request.

While these negotiations were in train, the Soviet authorities permitted the establishment on November 30 of a "rump" government in the Eastern sector of Berlin, which claimed jurisdiction over the whole city. Later the Soviet Government recognized this government. On December 5, by an overwhelming vote, the Western sectors of the city elected a new government, in the face of a Communist boycott which was encouraged by the Soviet authorities. The Soviet authorities did not permit the residents of the Eastern sector to take part. The effect of these developments was to split the last authority with nominal jurisdiction over all of Berlin and thereby raise obvious difficulties for the unified control of currency and trade which the committee of experts had just undertaken to study.

Canada has been concerned with the Berlin dispute primarily as a member of the Security Council. The attitude of the Canadian Government toward the initial reference of the Berlin dispute to the Security Council was reflected in the vote of the Canadian representative on the motion to include

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<sup>1</sup> See Section II, Chapter 12, Mexican Proposals for Peace, p. 72.



the Berlin dispute on the agenda on October 4. The delegation supported the view that the action of the Soviet Union in imposing the blockade gave rise to a situation likely to endanger international peace and security and that the dispute was a matter within the competence of the Security Council.

When the six members of the Security Council which were not directly parties to the dispute began their initial examination of the Berlin problem, the Canadian delegation participated fully in the discussions to find whether an area of agreement existed. The principle concern was to avoid the aggravation of a dangerous situation and to establish conditions under which the parties to the dispute could negotiate directly and thereby lessen the danger of conflict. The activities of the six members of the Security Council not parties to the dispute took the form of inquiries in the course of which it was hoped an area of agreement might be revealed.

In a statement before the Security Council on October 15 the Canadian delegate stated that the six delegations which were not parties to the dispute had as their purpose the gathering of fuller information on the points of view of the parties directly concerned and of clarifying the issues involved.<sup>1</sup>

When the six members of the Council not directly involved in the dispute considered that they had obtained a sufficiently clear idea of the relative positions of the two sides they put forward a resolution which they hoped might be accepted by all parties. The Soviet veto of October 25, however, blocked this approach to a solution, although the Soviet representative did not at the same time reject the possibility that procedure being followed might lead to an acceptable solution. The six members of the Security Council not parties to the dispute therefore resumed their activities, but in the more technical field of currency unification and trade.

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<sup>1</sup> For text of the Canadian statement see Appendix II-C, pp. 213-214.

### 3. Czechoslovakia

In March, 1948, Dr. Jan Papanek, at that time the permanent representative of Czechoslovakia to the United Nations, in a letter addressed to the Secretary-General, asked the Security Council to investigate a complaint on behalf of the Czechoslovak government that his country's independence had been violated by the threat of the use of force by the U.S.S.R. and that events in Czechoslovakia constituted a threat to international peace and security. The Secretary-General decided that Dr. Papanek's request could not be treated as coming from a member Government, since Dr. Papanek had severed his connections with the new Czechoslovak government. Thereupon, the Chilean representative in a letter dated March 12 asked that the matter be brought to the attention of the Security Council. In accordance with the request of Chile, the Security Council took up the question on March 17.

In support of Dr. Papanek's complaint, the representative of Chile stated that *prima facie* evidence existed that the coup by the Communist minority in Czechoslovakia in February, 1948 was actively encouraged by the Government of the U.S.S.R. He urged that the events in Czechoslovakia should be thoroughly investigated by the United Nations and formally asked the Security Council to invite Dr. Papanek to make a statement. The Security Council on March 22 granted this request on the proposal of Argentina and Canada by a vote of 9 in favour, with the U.S.S.R. and the Ukrainian S.S.R. voting against.

Dr. Papanek described in detail the political events leading up to the crisis in February, alleged that the U.S.S.R. had employed methods of indirect aggression and political infiltration in Czechoslovakia and urged that the Security Council make an investigation under Article 34 of the Charter. Dr. Papanek's statement was followed by outspoken comments on the events in Czechoslovakia from most of the Security Council members, some of whom, notably the representatives of the United Kingdom and the United States, supported the proposal that an inquiry should be made into these events.

On March 23, the representative of the U.S.S.R. in the Security Council replied to those members who wished to have the allegations regarding events in Czechoslovakia further examined. He said that the Chilean communication was based upon a desire to interfere in the internal affairs of Czechoslovakia. He accused the United States and the United Kingdom of attempting to establish control of Czechoslovakia's foreign and domestic policy through the European Recovery Plan.

In a statement on March 31,<sup>1</sup> the Canadian representative on the Security Council noted that no satisfactory answers had been received to certain pertinent questions asked in the Security Council by the delegates of the United Kingdom and the United States. He stated that

"The events in Czechoslovakia parallel all too closely early developments in other States in Eastern Europe so that they cannot be dismissed as pure coincidence . . . Having in mind the intimate associations between the Communist Party in Czechoslovakia, as in other countries and the

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<sup>1</sup> For statement of the Canadian representative on this question see Appendix II-D, pp. 214-215.

Soviet Union, it is difficult to avoid the conclusion that the Communist Party gained control of Czechoslovakia with the knowledge, approval and some help at least from the Soviet Union."

In April, 1948, by a vote of 9 to 2 the Security Council adopted a United States resolution inviting the Government of Czechoslovakia to participate without vote in the Security Council discussion. This invitation was declined by the new representative of Czechoslovakia to the United Nations.

In May, the Security Council considered a draft resolution submitted by the representative of Chile to the Security Council. This resolution proposed that the Security Council should appoint a committee to receive or hear evidence, statements, and testimony regarding the situation in Czechoslovakia. There were nine votes in favour, with the representative of the U.S.S.R. and the Ukrainian S.S.R. voting against. The resolution was not adopted, since it had been ruled a matter of substance and one of the opposing votes was that of a permanent member.

Late in May the Argentine representative submitted a draft resolution proposing that the Security Council's Committee of Experts be entrusted with the task of obtaining further evidence regarding events in Czechoslovakia, and that it report to the Security Council. The representative of the U.S.S.R. said that this proposal had the same purpose of investigation as the Chilean draft resolution, and that he would not acquiesce in any attempt to interfere in the internal affairs of Czechoslovakia. As it was apparent that the representative of the U.S.S.R. would use his veto if the resolution were put to a vote, the Security Council did not discuss the matter further. The question is still on the agenda of the Security Council.



## 4. Disarmament

The question of disarmament has now been before the United Nations for more than two years<sup>1</sup>. At the second part of the first session of the General Assembly, a resolution on the principles governing the regulation and reduction of armaments was unanimously adopted. This resolution was only a first step, and it was left to the Security Council, with the assistance of the Atomic Energy Commission, the Commission for Conventional Armaments and the Military Staff Committee to draft concrete proposals for disarmament.

The Commission for Conventional Armaments was established by the Security Council in February, 1947 with the same membership as the Council. Canada therefore became a member of the Commission in January 1948 on assuming membership on the Security Council.

The first issue debated by this Commission was whether or not the question of the prohibition of atomic weapons should be considered together with the general reduction of armaments and armed forces, by the same body in drafting plans of disarmament. The Soviet Union wanted the two matters to be considered together. The majority of the other members of the Commission pointed out that the problems involved in the working out of a plan for the international control of atomic energy involved technical questions which were so essentially different from those relating to the question of disarmament and the so-called conventional weapons, that the work on the control of atomic energy should be left to the Atomic Energy Commission<sup>2</sup>. In order to separate the work of the two Commissions a definition of "weapons of mass destruction" including atomic weapons was established.

The Commission for Conventional Armaments then undertook consideration of the general principles which would govern the regulation and reduction of armaments and armed forces. The majority of the members of the Commission took the view that adequate conditions of security must be established to enable disarmament to proceed safely and equitably.

Starting with the premise that disarmament by nations requires an atmosphere of international confidence and security, the following were the principal prior conditions which the majority of the Commission thought necessary to disarmament:—

- (a) The completion of agreements under Article 43 of the Charter which would place armed forces at the disposal of the Security Council for the maintenance of international peace and security.
- (b) The establishment of a system of international control of atomic energy.
- (c) The conclusion of peace settlements with Germany and Japan.

The majority of the Commission also laid particular emphasis on the need to establish an adequate system of international inspection and control, which would give assurance to all states that disarmament would

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<sup>1</sup> See *The United Nations 1946*, Department of External Affairs Conference Series 1946, No. 3, pp. 29-40, p. 165 and pp. 168-200.

<sup>2</sup> See Section II, Chapter 1, Atomic Energy, pp. 37-41.

be on an equitable basis and that no state could take advantage of the disarmament of others.

The representative of the U.S.S.R., on the other hand, took the position that the immediate reduction of armaments and armed forces would in itself be "an essential condition for the creation of a sense of international confidence and security." The representative of the U.S.S.R. contended that the argument that conditions of international confidence and security must precede disarmament, was contrary to the General Assembly's resolution of December 14, 1946. The position of the Soviet representative on the question of international inspection and control has been that any control body must be established within the framework of the Security Council. This has been taken to mean by the majority of the Commission, that the veto exercised by the permanent members of the Security Council can apply at some stage to prevent effective inspection and control, which is so essential to a workable disarmament system.

The question of disarmament was debated at length at the third session of the General Assembly. The Soviet Union proposed that the following three steps be taken immediately towards general disarmament:—

- “(1) The reduction by one-third during one year of the present strength of the land, naval and air forces of the five permanent members of the Security Council.
- (2) The prohibition of atomic weapons intended for “aims of aggression”.
- (3) The establishment within the framework of the Security Council of an international control body for the purpose of supervision and control over the implementation of the above two measures.”

The main issue again raised in connection with these Soviet proposals was whether the Soviet Union would itself permit effective international inspection to be carried out in its territory to determine both quantitatively and qualitatively the armaments and armed forces at its disposal. Without an undertaking by all countries concerned that they would open their frontiers to international inspection, it was clearly impossible to arrive at a plan of disarmament which might be directly related to the needs of international peace and security. The arbitrary arithmetical formula suggested by the Soviet Union would leave that country in a position of advantage in relation to those countries, which, like the United Kingdom, the United States and Canada, had already reduced their armaments and armed forces substantially since the conclusion of hostilities.

A counter resolution was submitted by the United Kingdom delegation asserting the principle already taken by the majority in the Commission on Conventional Armaments, that disarmament could only take place in an atmosphere of international confidence and security. The Canadian representative, in supporting this position in the First Committee, pointed out that no country would welcome more sincerely than Canada any progress towards effective measures of general disarmament. It was not possible, however, for Canada to support measures of disarmament at the cost of insecurity to Canada or to other nations desirous of maintaining international peace and security on the basis of the principles and purposes of the Charter. The Canadian representative emphasized in particular that the problem of inspection, verification and control lay at the root of the disarmament problem, and urged that the Soviet representative should declare

whether the Soviet Government was prepared to open its territory to international inspection.<sup>1</sup>

The First Committee of the General Assembly, where the question of disarmament was discussed, rejected the Soviet proposals and adopted a resolution, based upon the United Kingdom proposal, that the Commission for Conventional Armaments should continue its work in formulating proposals for the general regulation and reduction of armaments, which would include provisions for the receipt, checking and publication by an international organization of their armed forces and their conventional armaments. This proposal was adopted by the General Assembly on November 19 by a vote of 43 (including Canada) in favour, 6 (Soviet Bloc) against, with one abstention.<sup>2</sup>

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<sup>1</sup> For the statement of the Canadian delegate on Disarmament, see Appendix II-E (1), pp. 215-218.

<sup>2</sup> For the text of this resolution see Appendix II-E(2), p. 219.



## 5. Greece

The question of Greece has remained on the agenda of the United Nations for the third year as a result of the continued disturbed conditions on Greece's northern frontier. In 1946 the Greek Government requested the Secretary-General, under Articles 34 and 35 of the Charter, to give early consideration to a situation which was leading to friction between Greece and her northern neighbours. The Security Council considered the Greek Government's complaint and established a Commission of Investigation. The Security Council was unable to reach any decision, as the Soviet representative exercised his veto on three consecutive occasions. The Council then took the question off its agenda, but instructed the Secretary-General to place all the records and documents at the disposal of the General Assembly.

At its second session in 1947, the General Assembly considered the question and established the United Nations Special Committee on the Balkans.<sup>1</sup> Canada is not a member of this Committee which is composed of representatives of Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom and the United States. Seats are held open for Poland and the U.S.S.R. but both these countries have refused to take part in the Committee's work. The Special Committee was instructed to observe relations between Greece and her northern neighbours, and make recommendations for the establishment of frontier conventions between them, and also for the settlement of the refugee and minority problems. Observation teams were to proceed to Greek frontier areas to investigate complaints received from the Governments of Greece, Albania, Bulgaria and Yugoslavia.

The Special Committee had been at work only three weeks when it was notified by the Greek liaison representative of the formation by General Markos of a "provisional government" which, it was alleged, aimed at imposing by force a Communist regime on the Greek people. The Special Committee issued a statement that any recognition and assistance given to this "government" would be contrary to the principles of the Charter and would endanger international peace and security.

The activities of the Special Committee have been described in three published reports. The first report, signed on June 30, 1948, describes in detail the work of the Committee and contains certain conclusions and recommendations. Two supplementary reports were prepared by the Committee covering events in the Balkans from June 30 to September 10, 1948 and from September 11 to October 22, 1948.

The report of June 30 stated that the Committee's work had been boycotted by the Governments of Albania, Bulgaria and Yugoslavia, and concluded that the Greek guerillas had received aid from Albania, Bulgaria, and Yugoslavia. The report also stated that the guerillas had been using these three countries as a sanctuary as well as to initiate military operations from these territories. This assistance, the report continued, had been given to the guerillas with the knowledge of the Governments of Albania,

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<sup>1</sup> For a full summary of the discussions concerning UNSCOB at the second session of the General Assembly, see *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, pp. 23-30.

Bulgaria and Yugoslavia. The Committee considered that this support constituted a treat to the political independence and territorial integrity of Greece, and endangered international peace and security in the Balkans. The Special Committee recommended that an agency of the United Nations continue to observe the relations between Albania, Bulgaria, Yugoslavia and Greece, and to attempt a peaceful settlement.

The two supplementary reports of September 10 and October 22, 1948, confirmed these conclusions and urged further that a warning should be issued by the General Assembly to Yugoslavia, Bulgaria and Albania that their continued aid to the Greek guerillas endangers peace in the Balkans.

The Special Committee's supplementary report for the period June 30-September 10, 1948, made the following finding: "The Special Committee is of the opinion that the conduct of Albania, Bulgaria and Yugoslavia has been inconsistent with the purposes and principles of the Charter of the United Nations." The report also explains that UNSCOB's failure to make the General Assembly's recommendations effective was caused by the refusal of Albania, Bulgaria and Yugoslavia to co-operate. The Special Committee has nevertheless had a limited success in dealing with the refugee problem, and also, when General Markos proclaimed his "Government", its prompt action no doubt prevented recognition of this administration by Greece's northern neighbours. Moreover, the testimony of UNSCOB's observation teams provided direct evidence of outside interference in the internal affairs of Greece.

The reports of the United Nations Special Committee on the Balkans were considered in the First Committee of the third session of the General Assembly. Representatives of Albania and Bulgaria were invited to make statements and to place themselves at the disposal of the First Committee to provide information. The First Committee decisively rejected proposals that representatives of the Markos "provisional government" be heard.

The representatives of China, France, the United Kingdom and the United States sponsored a proposal (in which amendments suggested by the representatives of Australia and France were incorporated) approving the conclusions of the Special Committee's reports and instructing the Committee to continue its work of assisting the governments of Albania, Bulgaria, Greece and Yugoslavia in implementing the resolutions of the second and the third sessions of the Assembly on this subject. This proposal also contained provisions for consultation with the Interim Committee of the Assembly and provided for the headquarters of UNSCOB, its staff, and facilities for its work. This resolution was adopted by the First Committee.

The First Committee also gave unanimous approval to two other resolutions. The first recommended the re-establishment of diplomatic relations between Greece and Albania, Yugoslavia and Bulgaria and the establishment of agreements for frontier and refugee problems. The second resolution recommended the return to Greece of Greek children who had been removed by the guerillas to Albania, Bulgaria, Czechoslovakia and Yugoslavia, if their closest relatives so desired. International and National Red Cross and Red Crescent societies were entrusted with the responsibility of returning these children.

The General Assembly in plenary session on November 27, adopted by a vote of 47 to 6 the Four-Power resolution which provided for the

continuance of UNSCOB, and adopted unanimously the resolutions on diplomatic relations and frontier agreements and on the return of Greek children to Greece. The Canadian delegation supported these resolutions.

While the Balkan question was being discussed by the General Assembly the President of the Assembly initiated efforts to bring about a peaceful settlement between Greece and Albania, Yugoslavia and Bulgaria. To this end the President, the Chairman of the First Committee and the Secretary-General of the United Nations carried on discussions in Paris with the representatives of the four Balkan States. It was not found possible however, in these discussions, to reach any satisfactory solution.



## 6. Guard Force

The establishment of a small United Nations Guard Force was first suggested by the Secretary-General of the United Nations in a public address at Harvard University on June 10, 1948. His suggestion was prompted by the failure of the Military Staff Committee to reach agreement on the implementation of Article 43 which would put national forces at the disposal of the Security Council under the terms of special agreements between Member States and the United Nations. The need for some protective force became apparent when the Security Council attempted to maintain a truce in Palestine. The assassination of Count Bernadotte and the killing of other United Nations officials in Palestine gave impetus to the Secretary-General's proposal.

Later, a detailed proposal, outlined in the Annual Report of the Secretary-General, was placed before the third session of the General Assembly as a recommendation. The proposal suggested the creation of a United Nations Guard Force to perform protective, control and administrative functions on behalf of the Security Council or the General Assembly. The Secretary-General recommended an initial Guard Force of 800 of whom 300 would be permanently mobilized, with 500 in reserve living in their own countries but ready for service on short notice. The Force would be equipped with light personal weapons only, such as revolvers, rifles, carbines or light automatic rifles. It would be recruited in accordance with the principles laid down in Chapter XV of the Charter for appointment to the staff of the Secretariat.

It is not the intention that the United Nations Guard Force should be a substitute for the armed forces which Member States of the United Nations are required to place at the disposal of the Security Council in accordance with Article 43 of the Charter. The duties of the Guard Force would not be combative, but protective and administrative only. Its essential duty would be to provide protection for the personnel and the property of United Nations missions established by the Security Council or by the General Assembly, particularly in disturbed areas where national or local authorities are unable to provide this protection. In elections or plebiscites supervised by the United Nations the Guard Force would supervise polling places and prevent fraudulent voting. A proportion of the Guard Force would include experts in transport and communication who might be called upon to operate technical services where these are not provided by national or local authorities.

This question of the establishment of a United Nations Guard Force was one of the last on the agenda at the third session of the General Assembly and was postponed until the second part of the third session in April 1949.

## 7. Indians in the Union of South Africa<sup>1</sup>

There was no significant development on this question in the United Nations in 1948. Although it was placed on the agenda of the third session of the General Assembly, this was one of the matters postponed until the second part of the third session in April, 1949.

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<sup>1</sup>For a summary of discussions on this matter at previous sessions of the General Assembly of the United Nations, see *The United Nations, 1946*, Department of External Affairs, Conference Series 1946, No. 3, pp. 59-63, and *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, pp. 36-40.

## 8. India-Pakistan Dispute

On December 30, 1947, India appealed to the Security Council of the United Nations to urge Pakistan to restrain its nationals from assisting the invaders of Kashmir, to prevent the entry of tribesmen into Kashmir from Pakistan territory, and to cease providing the invaders with military and other supplies. The Security Council considered the matter together with counter-complaints from Pakistan affecting other relations between India and Pakistan.

By the Indian Independence Act, which came into force on August 15, 1947, the suzerainty of the British Crown over the Indian States lapsed, and the States were left free to accede to the Dominion of India, to the Dominion of Pakistan, or to neither. In Kashmir the ruler was a Hindu, but the great majority of the population was Moslem. The Maharajah, wishing to put off a decision as to accession, approached India and Pakistan for a standstill agreement.

In October, 1947, disorders broke out in Kashmir. Pakistan asserted that Sikh extremists had come in from India to the Jammu Province of Kashmir and engaged in a campaign to exterminate Moslems, with the assistance of the Maharajah's Hindu Dogra troops. On October 22, there began an invasion by Pathan and other tribesmen into Kashmir from across the Pakistan border. India alleged that these tribesmen were officered by Pakistan army officers and equipped with Pakistan's connivance and assistance. Local insurgents, in conjunction with the invading forces, formed a "free" Kashmir government and the combined forces threatened Srinagar, the capital of Kashmir. The ruler and his Prime Minister fled to New Delhi and sought help from India.

As a legal basis for assistance, the Maharajah agreed to accede to India, and the Governor-General of India accepted the accession subject to the final decision of the people of Kashmir when law and order were restored. Pakistan has refused to acknowledge the validity of Kashmir's provisional accession to India, which was effective from October 26.

Indian troops were at once flown to Srinagar and succeeded in driving the forces of the invaders westward towards the Pakistan border and relieving the capital. They have not, however, succeeded in clearing the State of the forces opposed to the ruler and to the government subsequently set up under the leadership of the Kashmir National Conference, Sheikh Abdullah. While the Indian forces are in possession of the populous Vale of Kashmir and the Province of Jammu, they have not been able to occupy some of the western districts and the extensive regions of Gilgit and Baltistan.

During November and December, 1947, attempts had been made to settle the dispute by direct negotiation between India and Pakistan, but when these failed India appealed to the Security Council.

After efforts had been made through formal consultations over a period of some weeks, under the auspices of succeeding Presidents of the Council, including the Canadian representative, to have the parties reach an agreement as a basis of resolving the dispute, the Security Council on April 21, 1948, adopted a resolution which provided for the appointment of a commission of five members.<sup>1</sup> The Commission was to proceed to India and offer

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<sup>1</sup> For text of this resolution see Appendix II-F. (1), pp. 219-223.



its good offices and mediation to India and Pakistan for the restoration of peace and order and for the holding of a plebiscite. The resolution provided for the appointment in due course of a special officer, the Plebiscite Administrator, nominated by the Secretary-General of the United Nations and confirmed in office by the Indian Government on behalf of Kashmir, to direct and supervise the holding of a free and impartial plebiscite to decide whether the State should accede permanently to India or to Pakistan.

This resolution was drawn up jointly by the four Presidents of the Council who had steered the negotiations (the representatives of Belgium, Canada, China and Colombia) and the United Kingdom and United States representatives, and was sponsored by this group in the Council. The Canadian delegate spoke in favour of the resolution on April 17.<sup>1</sup> The resolution was adopted by a vote of nine to none, with the Soviet Union and the Ukraine abstaining. In addition, Syria abstained from voting on certain paragraphs to which Pakistan had objected.

Both India and Pakistan made certain objections to the resolution, but indicated that they would confer with the Commission if it came to their capitals. Subsequently the Commission, known as UNCIP, consisting of representatives of Czechoslovakia, the Argentine, Belgium, Colombia and the United States, was constituted and met first in Geneva on June 14 before proceeding to India. It arrived in Karachi on July 7, and spent a short time there before going on to New Delhi. It then divided its time between the two capitals with visits to Srinagar, before returning to Geneva on September 26. Some of its officers have visited both fronts of the fighting.

On August 14, after several weeks of investigation and the hearing of evidence, the Commission made a proposal to both countries calling for an immediate cease-fire order together with a truce agreement. The proposal pre-supposed, as a basis of discussion for a more permanent cease-fire, the acceptance by Pakistan of the withdrawal of all Pakistan troops; and by India of the withdrawal of the bulk of her troops, to the extent that those remaining would not be sufficiently large to constitute a threat to the territory evacuated by Pakistan troops. It also assumed the consent of Pakistan and India, once hostilities had ceased, to discuss a permanent settlement in accordance with public feeling in Kashmir.

On August 20 India accepted the proposals subject to the conditions that there would be no recognition of the "free" Kashmir Government; that Pakistan would have no share in a plebiscite or in the internal administration of the State; and that the strength of the Indian forces remaining in the State should suffice to repel any external aggression. The Commission agreed to these conditions, provided there would be freedom of political activity for all inhabitants of the State.

Pakistan replied to the Commission on September 6 that it could not speak for the "free" Government; that the latter must be a party to any settlement; and that it alone could order a cease-fire for the "free" forces. It said that a plebiscite must be conducted according to the resolution of April 21, except as otherwise agreed between India and Pakistan. Pending final settlement, all territory in *de facto* control of the Pakistan and "free" Kashmir high commands should be administered by the authorities now in

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<sup>1</sup> The full text of the Canadian representative's statement is given in Appendix II-F. (2), pp. 223-224.

*de facto* control, to the exclusion of Indian and Kashmir State officials. The Commission expressed regret that by attaching these and other conditions to its acceptance of the proposal, Pakistan had made impossible the immediate cease-fire as well as the beginning of negotiations for a final settlement.

After nearly three months of activity in India, the Commission returned to Geneva on September 26 to prepare an interim report to the Security Council on the present situation in Kashmir. This report was made to the Security Council in Paris on November 22. It is a factual account of the Commission's activities, in particular its efforts to obtain an agreement between India and Pakistan for a cease-fire, as described above. The report did not contain recommendations but made some observations.

The Commission then carried on private negotiations in Paris with Indian and Pakistan representatives who were attending the meeting of the General Assembly, with the aim of bringing the parties to an agreement, and sent one of its members to the sub-continent in the latter part of December to put the Commission's proposals before the Indian and Pakistan Governments.

At the end of the year the military authorities of India and Pakistan, following a truce agreement between the two governments, issued a cease-fire order to their forces, which took effect at midnight on January 1, 1949.



## 9. Indonesia

A year which opened with high hopes for a peaceful settlement of the critical Indonesian problem ended with Netherlands forces undertaking an extensive "police action" against the Indonesian Republic and the Security Council being called into a special session at Paris to discuss the situation. The outbreak of hostilities on December 19, 1948, followed months of negotiation between the Netherlands and the Republic during which both the good offices of a special Security Council committee and direct negotiations between representatives of the parties failed to bring a satisfactory settlement of the differences.

The dispute between the Netherlands and the Republic over control of Indonesia has been a primary concern of the Security Council ever since it was seized of the problem in August, 1947. Canada, as a member of the Council has been concerned with seeking a settlement of a situation which is not only a threat to the peace, but which is delaying the economic rehabilitation of the whole of Indonesia, whose products are highly important to world recovery.

The Republic of Indonesia proclaimed its independence on August 17, 1945. In the following interval of six weeks before the Allied Forces could land to reoccupy the Indies and to evacuate Allied internees and the Japanese forces, the new regime succeeded in consolidating its position and in taking over from the Japanese occupation forces all their administrative functions. The new Republic, sponsored by the Japanese, was strongly opposed to the return of the Dutch in their pre-war capacity.

It was not until the end of 1946 that the Netherlands Government despatched to the Indies sufficient forces to replace the British forces which had originally occupied the key areas on the islands. During that time, negotiations for the settlement of the dispute between the Netherlands and the Republican governments over the control of the Indies, dragged on and, although hostilities frequently interrupted the negotiations, an agreement was finally signed at Linggadjati in November, 1946, setting forth the basic principles which were to govern the settlement. Despite this agreement, no satisfactory settlement could be arrived at and in July, 1947, the Netherlands forces launched a military campaign against the Republic with the objectives of restoring law and order in Republican territories and of gaining control over some of the more productive areas.

The fighting in Indonesia led to a reference by Australia and India to the Security Council on the grounds that it constituted a threat to the peace, and the matter was fully discussed at the Council meetings in August, 1947. Two resolutions were adopted on August 25, the first providing for the supervision of a cease-fire order in Indonesia by a Consular Commission composed of the career consuls in Batavia of the states members of the Council. By the second resolution, the Security Council tendered its good offices to the parties in order to assist in the pacific settlement of the dispute. It had been previously decided that the Security Council lacked the jurisdiction to oblige the parties to submit their dispute to arbitration.

Both parties accepted the Security Council's offer, and a Committee of Good Offices was set up comprising representatives of three of the



Council members, the United States, Australia and Belgium who, late in October, arrived in Batavia and began their work. Earlier in the month the Consular Commission had reported to the Security Council on the non-observance of the cease-fire order, and indicated that it arose out of the very different interpretations placed upon the order by the armed forces of both parties.

After prolonged discussions the Committee of Good Offices proposed informally a detailed plan for a military truce, and also offered a set of twelve principles to serve as a basis for a political settlement. Accepted by both parties with certain modifications, and signed on January 17, 1948, these principles have become known as the "Renville Truce Agreement" and the "Twelve Principles forming an agreed basis for the political discussions". On January 19 the parties accepted "six additional principles for the negotiations toward a political settlement".

The most significant of the proposals in the Renville Agreements provided for the eventual independence of the Indonesian people and the establishment of a new federal system, the United States of Indonesia, with the Republic as one of the States. Sovereignty over the new federation would be retained for an interim period by the Kingdom of the Netherlands and would eventually be transferred to the United States of Indonesia after a democratic constitution had been drawn up and the boundaries of the individual states established. Other articles provided for the restoration of normal conditions, including the resumption of domestic and foreign trade.

Following the signing of these agreements, the Committee of Good Offices returned to report to the Security Council which discussed this report and the Renville agreements during the month of February while the Council was under the chairmanship of the Canadian delegate. On February 28 a Canadian resolution was adopted which noted with approval the report of the Committee of Good Offices, maintained the Security Council's offer of Good Offices, and requested the Committee and both parties to keep the Security Council directly informed of the progress of the political negotiations.<sup>1</sup> By and large, the provisions of the Truce Agreement were implemented successfully during the succeeding weeks, and about thirty-five thousand Republican Army soldiers were evacuated from behind the line delineating the areas claimed by the Dutch to be under their control.

The Committee of Good Offices was reconstituted after reporting to the Security Council and returned to Indonesia in March to resume negotiations on the basis of the Renville Principles. Discussions continued with indifferent success until June, when they were broken off temporarily as a result of a leakage to the press of a new compromise plan known as the Dubois-Critchley Proposals which had been submitted informally on June 4 by the United States and Australian members of the Committee, with a view to bridging the gap which separated the positions of the two parties. These proposals were not accepted as a basis for discussion by the Netherlands delegation. Other attempts to facilitate the settlement had also been made by the Lieutenant-Governor General of the Netherlands Indies, who held some talks with the Indonesian Republican Premier in the hope of expediting matters by direct action, without reference to the Committee of Good Offices.

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<sup>1</sup> For text of Security Council resolution of February 28, 1948 see Appendix II-G, p. 224.

By this time the differences of opinion between the two parties were so marked that the situation had become deadlocked. Finally, the Republican delegate announced that, in view of the unwillingness of the Netherlands delegate to discuss the Dubois-Critchley Proposals or to offer any alternative program, they considered that no useful purpose could be served by continuing the political negotiations. One of the reasons why the Dutch delegation was unable to offer any alternative proposals was that general elections were held in the Netherlands on July 8, and for several weeks there was no government in power which could issue instructions to the delegate in Indonesia. This election was made necessary because the Government wished to amend the Constitution in order to provide for the future establishment of the Netherlands-Indonesian Union. A new Government was formed in the Netherlands in August.

In its Third Interim Report to the Security Council dated June 21, 1948, the Committee of Good Offices gave its estimate of the situation in Indonesia. The Report stated that, apart from the successful evacuation of thirty-five thousand Republican troops from behind the temporary demarcation line dividing the territories of the two parties, the "Truce Agreement has been largely a disappointment."

In particular, the failure to implement Article 6 of the Truce Agreement which provided that "trade and intercourse between all areas should be permitted as far as possible" was regarded with such seriousness by the Republican Government that its representative at the United Nations raised the issue before the Security Council, claiming that the Dutch were strangling the Republic by means of an economic blockade. As a result the Security Council on July 6 adopted a resolution, proposed by the representative of China, requesting from the Committee of Good Offices an early report on existing restrictions on trade in Indonesia and the reasons for the delay in the implementation of article 6 of the Truce Agreement. The Canadian representative supported this resolution.

One of the chief sources of misunderstanding between the Republic and the Netherlands has resulted from the activities of the Dutch authorities in sponsoring the setting up of numerous provisional states in those parts of Indonesia outside of the Republic, including some sections which had been Republican-held prior to the Dutch campaign of July, 1947. The Republicans, on the one hand, conceive the setting up of these States as an example of a "divide and rule" colonial policy, while the Netherlands authorities, on the other hand, consider these activities are justified under the terms of the Renville Agreement.

For many years a Communist faction in Indonesia had collaborated with the legitimate Nationalist movement. However, after the breakdown of negotiations in July political, economic and financial conditions continued to deteriorate and the situation became increasingly favourable for the spread of Communism. Finally, in August, a split in the ranks of the Republican Government led to a Communist bid to seize control over the whole of the Republican territories and an invitation to all left wing parties to merge with them in the formation of a new "Workers' Front".

Although the Communist leaders seized a number of centers and proclaimed a "National Government" at Maduin, the Republicans launched an energetic anti-Communist campaign which had quick successes. By October the Communist uprising in the Republican areas appeared to have been brought fairly well under control and the bulk of



the insurgent forces had either been driven into hiding or captured. For the time being at least, there appears to be no danger of further Communist disturbances on a large scale, although the possibility of a resumption of their activities in the future cannot be discounted.

A renewed attempt to reach a settlement in Indonesia was made in September when the United States member of the Committee of Good Offices, Mr. Merle Cochran, submitted a new set of proposals to the Netherlands and Indonesian parties. These proposals, which modified the terms of the Dubois-Critchley plan and called for general elections and the formation of a projected interim Government, were tentatively accepted by both sides as a basis for discussion and gave grounds for hoping that at last the outstanding difficulties in the way of a complete understanding could now be eliminated.

Despite the initial optimism to which the Cochran proposals gave rise, it was soon clear that agreement was still very distant. Faced again with prospects of deadlock, the Netherlands Government initiated direct negotiations with the Republicans and on November 22 a delegation headed by Foreign Minister Stikker, and including prominent members of the Dutch Cabinet and Government, went to Indonesia for further talks with Prime Minister Hatta and other Republican leaders. On December 5 this delegation returned to The Hague and a week later the Netherlands Government announced that peace talks had been discontinued and that further negotiations with the Republic would only delay final settlement of the Indonesian problem. In addition, the Netherlands authorities indicated they were prepared to go ahead with the plan to set up the Interim Government for all sections of Indonesia outside those areas controlled by the Republic.

Acting on the request of the Security Council in July, the Committee of Good Offices had returned to Indonesia to continue their efforts at mediation, investigate alleged restrictions on trade and prepare a report on economic conditions in the Islands. This report was finally submitted to the Security Council on December 2 and indicated that the economic situation in the Republic had become "critical". The report pointed out that there existed severe shortages of transport and reconstruction equipment, inadequate health services, food shortages, and neglected plantations, all of which factors were delaying the economic rehabilitation of Indonesia and adding to the internal political problems faced by the Republic.

On December 11 the Netherlands Government notified the Committee that it did not consider that further negotiations would serve any useful purpose and on December 14 Premier Hatta of Indonesia replied to this statement with a letter indicating the desirability of further discussion. The Netherlands Government informed Mr. Hatta on December 16 that they could delay no longer the steps they considered had to be taken toward the formation of a United States of Indonesia. Finally, on December 19 military operations were launched in Indonesia and the Netherlands Government announced the decision to take measures to re-establish conditions of peace and security in Indonesia. This announcement was made in the form of a memorandum transmitted to the president of the Security Council from the representative of the Netherlands.

The breakdown of negotiations and the exchange of correspondence between the Netherlands Government and Mr. Hatta were the subjects of special reports from the Committee of Good Offices on December 12 and



December 19. The latter report criticized the Dutch action and stated that the members of the Committee felt that the Dutch had not exhausted the resources of the Committee nor had they allowed for the possibility of resuming negotiations.

The Security Council discussed the Indonesian question in a special session which convened on December 22 and was brought to a close on December 29. General regret at the Dutch resort to armed force was expressed and a resolution was passed calling for an immediate cease-fire and for the release by the Dutch of President Soekarno and other Republican political prisoners. A United States draft resolution calling for a withdrawal of Netherlands forces to the positions they held prior to the resumption of hostilities was defeated.

The Canadian Government's policy, like that of the United Kingdom and the United States, has been to seek a just, permanent and satisfactory settlement to the Indonesian question, so that conditions of normalcy and prosperity may return to the East Indies as soon as possible. Among other things, Canada is concerned that free international trade with the area should be resumed in the near future. In considering the whole problem the Canadian Government has consistently borne in mind the long-standing traditions of friendship which bind the peoples of Canada and the Netherlands together. At the same time, the Government has endeavoured to reconcile these considerations with its desire to encourage and recognize the legitimate aspirations of Indonesian nationalism.

In the Security Council discussions of late December, Canada's representative stated that he deplored the breakdown of negotiations and resumption of military operations. This country supported the resolution calling for a cease-fire and for the release of political prisoners but opposed a United States resolution calling for a withdrawal of Dutch troops on the ground that this resolution would not be adhered to nor would it be enforced by the members of the Security Council.

## 10. Interim Committee

The Interim Committee of the General Assembly was established by the General Assembly in November, 1947<sup>1</sup>. The Interim Committee was instructed to study the problem of voting in the Security Council, methods for the promotion of international co-operation in the political field and the advisability of establishing a permanent committee of the General Assembly. Accordingly the Interim Committee when it met early in 1948 set up three sub-committees to study and report on these matters. The sub-committees presented their reports, and the Interim Committee, completing its examination of them in August 1948, transmitted them to the third session of the General Assembly.

Article 27 of the Charter which governs the question of voting in the Security Council states that decisions on "procedural matters" are to be made by an affirmative vote of seven Members of the Security Council while decisions on "all other matters" are to be made by an affirmative vote of seven Members including the concurring votes of the permanent Members. The Charter does not make a clear distinction between procedural matters and "all other matters". The extensive use of the veto in the Security Council by the U.S.S.R. has frequently prevented that body from acting in matters of seemingly minor importance.

In considering ways in which the voting procedure in the Security Council might be liberalized, the Interim Committee drew up a list of Security Council decisions which should be regarded as procedural and, therefore, exempt from the rule of unanimity.

The Interim Committee further recommended that the permanent Members voluntarily abandon the unanimity rule in the case of decisions on a number of subjects, whether procedural or not, (e.g. decisions on applications for membership and the peaceful settlement of disputes). Included also in this type of question is the decision on whether or not a matter is procedural. This use of this "double veto" has greatly complicated and impeded the work of the Security Council.

The Interim Committee also recommended that the permanent members agree to exercise restraint in the use of their voting privileges.

In July the Argentine representative on the Interim Committee proposed a resolution that the General Assembly call a General Conference to eliminate the veto by amending the Charter. The resolution was amended so that the third session of the General Assembly was asked to consider only whether or not the time had arrived for such a conference. This resolution of the Interim Committee was approved by 19 votes in favour to 7 (including Canada) against, with 10 abstentions.

In commenting on the report of the Interim Committee on voting procedure in the Security Council, the Canadian representative stated on July 9, 1948, that the Interim Committee had had to decide whether it should consider the possibility of revising the Charter or whether a "more gradual approach should be taken by considering what should be done in existing circumstances to improve the voting procedure".<sup>2</sup> The Canadian repre-

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<sup>1</sup> See *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series, 1947, No. 1, pp. 55-59 and pp. 208-216.

<sup>2</sup> For the text of the Canadian statement see Appendix II-H(1), pp. 224-226.



sentative pointed out that the problem was not simply one of voting procedure but a problem which arose whenever states of varying sizes and strengths are associated in a composite organization. He did not consider that more substantial progress could be made now by more radical measures such as the calling of a revisionary conference.

This matter was considered by the third session of the General Assembly which referred it to the Ad Hoc Political Committee. A resolution sponsored by China, France, the United Kingdom and the United States, endorsing the report of the Interim Committee on voting procedure, was approved by 33 votes in favour (including Canada), 6 against (the Slav bloc) and 4 abstentions. The Ad Hoc Political Committee rejected the Argentine proposal for a revisionary conference.

The Interim Committee also prepared a report on the general principles of co-operation in the maintenance of peace and security, which was considered by the Ad Hoc Political Committee of the third session of the General Assembly. The report included the following recommendations:

- (a) A proposal that the General Assembly restore the General Act of 1928 for the Pacific Settlement of Disputes. The General Act provided for the reference of all disputes between signatory states to a Conciliation Commission, to the Permanent Court of International Justice of the League of Nations, or to an Arbitral Tribunal. The Ad Hoc Political Committee acceded to the request of the Interim Committee that the Secretary-General should incorporate certain changes in the General Act to make it compatible with the present framework of the United Nations, and that the Secretary-General should hold the Act open for accession by states.
- (b) A proposal that a panel of conciliators be established whose services would be available to any states involved in controversies as well as to the General Assembly and the Security Council. The panel would be composed of persons who "by reason of their training, experience, character and standing, are deemed to be well fitted to serve as members of Commissions of Inquiry or of Conciliation". Consideration of this resolution was deferred by the Ad Hoc Political Committee until the second part of the third session of the General Assembly in April, 1949.
- (c) A proposal that whenever a dispute is brought before the Security Council the parties should meet with the President of the Security Council and attempt to call upon a representative on the Council to act as conciliator who would report to the Security Council on the efforts made toward conciliation. Similarly, the Interim Committee proposed amendments to the Rules of Procedure of the General Assembly, enabling the President of the General Assembly to act as a conciliator whenever a dispute is brought before the United Nations. The Ad Hoc Political Committee adopted the first of these proposals, but deferred consideration of the amendment of the Assembly's Rules of Procedure to the second part of the third session in April, 1949.

Canada voted in favour of the two resolutions adopted in Committee concerning the general principles of political co-operation and the maintenance of peace. The report of the Ad Hoc Political Committee on this



question will be considered at the second part of the third session of the General Assembly in April, 1949.

The Interim Committee recommended for further study a proposal for the creation of a permanent committee on conciliation and a proposal to submit to the International Court of Justice the question of the competence of the Security Council or the General Assembly to deal with problems claimed by a state to be within its own domestic jurisdiction.

It was also recommended to the General Assembly that the Interim Committee continue in being for a further period. The Interim Committee considered that its work had been effective although all the members of the United Nations had not participated. The representative of India, in opposing this recommendation in the Interim Committee, stated that the work of the Interim Committee could be carried on more efficiently by ad hoc Committees of the General Assembly. This view, however, was not shared by a majority of the members of the Interim Committee.

By a vote of 40 in favour, to 6 against, with 1 abstention, the third session of the General Assembly in plenary session decided to re-establish the Interim Committee for a further period of one year. The functions of the Interim Committee are substantially the same as those given to it by the second session of the General Assembly. In addition, the Interim Committee is now authorized to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities.<sup>1</sup>

In addition to these studies the Interim Committee considered the question of Korea. The account of the Interim Committee's work on Korea is contained elsewhere in this report.<sup>2</sup>

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<sup>1</sup> The text of a Canadian statement in the Ad Hoc Political Committee on the question of the continuance of the Interim Committee is given in Appendix II-H(2), pp. 226-227.

<sup>2</sup> See below, Section II, Chapter 11, Korea, pp. 67-71.

## 11. Korea

The last act of the third session of the General Assembly before it adjourned on December 12 was to pass a resolution on Korea by 48 to 6 with one abstention. This resolution approved the conclusions of the Report of the United Nations Temporary Commission on Korea and declared that the Government of the Republic of Korea had been properly established under the observation of the Commission in that part of Korea where the Commission had been able to function. In addition to a general interest in the establishment of Korean independence, Canada was especially concerned with the Korean question because of its membership on the United Nations Temporary Commission on Korea. Dr. G. S. Patterson of the Department of External Affairs was the Canadian representative and took an active part in the deliberations and work of the Commission throughout 1948.

On November 14, 1947, the General Assembly of the United Nations approved the establishment of a United Nations Temporary Commission on Korea consisting of representatives of Australia, Canada, China, El Salvador, France, India, the Philippines, Syria, and the Ukrainian Soviet Socialist Republic; the Ukraine, however, refused to participate in the work of the Commission. The purpose of the Commission was to provide a means by which early elections would be held and a National Government for Korea established under United Nations observation.<sup>1</sup>

Dr. Patterson, the Canadian representative, attended the first meeting of the Commission on January 12 at Seoul, Korea, where the Commission first considered the approach to be made to the Soviet authorities in North Korea to secure their co-operation. The United States authorities had already indicated their readiness to co-operate. Letters in identical form were sent to the General Officers Commanding the forces in North and South Korea and the text of these letters was also sent by telegram to the Secretary-General of the United Nations with the request that the permanent Soviet representative to the United Nations be asked to transmit it to Moscow. In a reply of January 23 from the Soviet representative, which was relayed to the Commission, Mr. Gromyko reminded the Commission of the negative attitude taken by the Soviet Government towards the establishment of the Korean Commission. It soon became apparent that no response would be forthcoming directly from the Soviet Commander in North Korea.

On February 6, the Commission declared that the negative attitude of the Soviet Government made it impossible for the Commission to exercise for the time being the functions conferred upon it by the General Assembly in the part of Korea occupied by the Soviet armed forces. The Commission thereupon resolved that it should consult the Interim Committee of the General Assembly and adopted a resolution embodying the following questions on which consultation should take place:

- I. Is it open to or incumbent upon the Commission under the terms of the General Assembly Resolutions of November 14, 1947 and in the light of developments on the situation with respect to Korea

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<sup>1</sup> The text of this resolution is given in *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, pp. 183-185.



since that date, to implement the programme as outlined in Resolution II in that part of Korea which is occupied by the armed forces of the United States of America?

II. If not (a) should the Commission observe the election of Korean representatives to take part in the consideration of the Korean question as outlined in Resolution I of November 14, 1947 provided that it has determined that elections can be held in a free atmosphere and (b) should the Commission consider such other measures as may be possible and advisable with a view to the attainment of its objectives?

On February 19, Mr. Menon, the Chairman and Indian representative on the Commission, made a full report on the work of the Commission to the Interim Committee. The United States representative stated that the first question put to the Interim Committee should be answered in the affirmative, thereby leaving no need for an answer to the second question. He introduced a resolution to this effect.

The Canadian representative, in presenting the view of the Canadian Government, said that of the two resolutions of the Assembly which governed the powers and duties of the Korean Commission, the second in paragraph 4 indicated that the Commission could not operate in South Korea only. The Commission could not violate its terms of reference and the Interim Committee was not competent to change them. Therefore the Commission was not in a position to carry out its mandate in Korea. Although the Canadian Government strongly supported the objective of a free, united and democratic Korea and felt that the policy of the U.S.S.R. in preventing its realization was to be condemned, it nevertheless thought it unwise to ask the Commission to take further action.

On February 26, the Interim Committee by a vote of 31 in favour to 2 against (Canada and Australia) with eleven abstentions, adopted the United States resolution.

The General Officer Commanding United States Army Forces in South Korea announced on March 1 that elections would be held in that zone on May 9, a date which was later changed to May 10. After deliberation, the Commission on March 12 by a vote of 4 to 2 with 2 abstentions decided to observe these elections provided that it was ascertained that they would be held in a free atmosphere wherein democratic rights of freedom of speech, press and assembly would be recognized and respected. Canada and Australia, in conformity with the position they had taken in the Interim Committee, again voted in the negative.

The greater part of the necessary preparatory work relating to the observation of the elections was done by sub-committees and other subsidiary bodies created by the Commission. One sub-committee, on which the Canadian representative served, was charged with devising ways and means to ensure free conditions for the elections and approved a list of recommendations which was subsequently adopted by the Commission and passed to the United States authorities in South Korea. The United States Commanding General, after receiving these recommendations issued on April 5, a "Proclamation on the Rights of the Korean People", concerning civil liberties in South Korea.

One of the recommendations of the Commission concerned the pardoning of political prisoners, and on April 8 the United States Commanding General



informed the Commission that 3,140 pardons had been issued in ample time for the former prisoners to register as voters or as candidates in the elections.

Another Commission sub-committee examined documents received from Korean sources and secured statements from prominent Korean personalities whose views might be helpful to the Commission in its observation of the elections.

A third sub-committee, of which the Canadian representative was a member, examined the electoral laws and regulations in force in Korea, and prepared draft recommendations for the Commission, for transmission to the authorities. These recommendations were designed to promote as complete and as free an expression of popular will as possible in the elections and the Commission approved them with certain amendments. In a memorandum of March 24, the United States Liaison Officer to the Commission stated that the election regulations had been redrafted on the basis of these suggestions.

To observe the preparations for the elections in the field, the Commission during April divided itself into groups for inspection tours into the various provinces of South Korea. Detailed inquiries were made into the existence of a free atmosphere for elections and when unsatisfactory conditions were encountered the Military Governor was later informed.

As a result of its observations and studies the Commission on April 28 confirmed its decision of March 12 to observe the elections and stated that it had satisfied itself that there existed in South Korea a reasonably free atmosphere. During the debate the Canadian representative indicated his appreciation of the United States efforts to secure free conditions for the elections.

The elections were duly held on May 10 under Commission observation.

In the middle of May the main body of the Commission proceeded to Shanghai to prepare the first part of its report. It returned to Seoul on June 7 after the newly-elected Korean National Assembly had been convened there.

On June 25, the Commission unanimously recorded its opinion that the results of the ballot of May 10 were a valid expression of the free will of the electorate in South Korea.

The Commission received formal notification on August 6 that the "Government of the Republic of Korea" had been formed. The letter containing this information requested Commission consultation "particularly with reference to paragraph 4 of Resolution II of November 14, 1947". Some members took the view that the Government could not be regarded as the Government envisaged in the General Assembly resolutions and that the Commission should not prejudice the position of the General Assembly by acceding to the request for consultation. The Commission, however, on August 14 voted, 4 to 2 with one abstention, to comply with the request.

Two days earlier the United States Government had announced its view that the new government "was entitled to be regarded as the Government of Korea envisaged by the General Assembly resolutions of November 14, 1947", and the Chinese and Philippine Governments also accorded provisional recognition. Canada, like most other states, reserved any decision on recognition pending the submission to the General Assembly of the report of the Korean Commission.

On August 15 a special United States representative arrived in Korea to carry on negotiations with the government there concerning the transfer of authority to it from the United States Government. These negotiations had only begun, when the Commission left Korea to complete its report at Lake Success, designating its Main Committee to remain in Seoul to conduct consultations with the new government. It was understood that no serious consultation would be requested before the meeting of the United Nations General Assembly in Paris.

When the Temporary Commission on Korea presented its report to the third session of the General Assembly the problem was referred by the Assembly to the Political Committee for consideration and report.

Before the item was reached on the agenda it was proposed by the representative of Czechoslovakia that the Committee, at that time, should consider his draft resolution proposing that a delegation of the Korean Peoples' Democratic Republic should be invited to participate in the discussion on the question. (The Korean Peoples' Democratic Republic was established in North Korea as a result of elections held in North Korea on August 25, in which, it was alleged, the people of South Korea had also participated). The Czechoslovak proposal was rejected by the Committee. Subsequently, when the Committee took up the Korean question, the Czechoslovak draft resolution itself was rejected by 34 votes to 6 with 8 abstentions. In opposing the Czechoslovak resolution, the Canadian representative said that statements had been made in the resolution regarding elections in North Korea and the establishment of a so-called Peoples' Democratic Republic. In default of verification of these statements by the United Nations Temporary Commission, the Canadian representative believed that the Political Committee should not give the elections any support, or the persons supposed to have been chosen by them any endorsement such as would be secured by passing the Czechoslovak resolution. He stated, however, that, once the representatives of the Government elected in South Korea under United Nations supervision had been heard, certain persons from that part of Korea occupied by the U.S.S.R. army, which had refused to admit the United Nations Commission, might, if they were present, be given an opportunity to state to the Committee their views on the problem of Korean unification, and then withdraw.

By 39 votes to 6 with 1 abstention, the Committee adopted a Chinese draft resolution inviting the delegation of the Government of the Republic of Korea to participate in the debate without the right to vote. It was also agreed, without objection, to invite the Rapporteur of the United Nations Temporary Commission on Korea to present its report.

The general debate on the question was held at the 231st to 235th meetings of the Committee during which a draft resolution was proposed by Australia, China and the United States, and a second draft resolution by the Union of Soviet Socialist Republics.

The draft resolution proposed by Australia, China and the United States approved the conclusions of the Report of the Temporary Commission; declared that a lawful Government (the Government of the Republic of Korea) had been established, having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult, . . . and that this was the only such Government in Korea; recommended that the occupying Powers should withdraw their occupying forces from Korea as early as practicable; and, resolved that a Commission



on Korea should be established to continue the work of the Temporary Commission and to carry out the provisions of the present resolution. The draft resolution of Australia, China and the United States was adopted by 41 to 6 with 2 abstentions.

The draft resolution proposed by the U.S.S.R., resolving that the United Nations Temporary Commission on Korea should be abolished, was rejected by 42 to 6 with 3 abstentions.

During the lengthy general debate in Committee the Canadian representative offered to forego the privilege of speaking and, in the interest of securing a decision on the question before the Committee adjourned its present session, proposed that the general debate should be closed. The proposal was adopted by 35 to 6 with 2 abstentions.

By a vote of 41 to 0 with 1 abstention, the Committee adopted a proposal by the representative of the United States of America that the Commission on Korea should consist of the same member states which composed the United Nations Temporary Commission on Korea. The representatives of the Byelo-Russian Soviet Socialist Republic, Czechoslovakia, Poland, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, and Yugoslavia did not take part in the vote. The representative of the Ukrainian Soviet Socialist Republic, in addition, stated that his Government would not take part in any activities of the Commission provided for in the draft resolution. The Canadian, representative, while stating that Canada would not oppose, at that stage, the proposal regarding the composition of the Commission, suggested the desirability of a smaller Commission.

The General Assembly began discussion of Korea at midnight, December 11, and adjourned at 2 a.m. December 12 to meet at 3 p.m. December 12. At the latter session the Canadian representative presented a statement in which he said that the Canadian Government shared the confidence expressed by the Political Committee in the United Nations Temporary commission on Korea and in the validity of the process by which the Government of the Republic of Korea had been established. He stated Canada's preference for a smaller Commission. Recognition of the Ukraine's refusal to participate in the Commission would reduce the number to eight which would not be a convenient number. He indicated that Canada was prepared to withdraw from the Commission, thus reducing the number to seven<sup>1</sup>. An amendment reducing the number of the Korean Commission to seven as proposed by the Canadian representative was carried 42 to 0 with 3 abstentions. The Soviet bloc did not participate in the voting. The resolution from the Political Committee with this amendment was then passed 48 to 6 with one abstention.<sup>2</sup>

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<sup>1</sup> For text of Canadian statement see Appendix II-I(1), pp. 227-228.

<sup>2</sup> For text of this resolution, see Appendix II-I(2), pp. 228-230.



## 12. Mexican Proposals for Peace

Shortly after the opening of the third session of the General Assembly, the representative of Mexico submitted a draft resolution calling on the great powers to "determine their policy in the spirit of the declaration to which they subscribed in the Crimea, in which they reaffirmed their faith in the principles of the Atlantic Charter, their pledge in the declaration by the United Nations, and their determination to build in co-operation with other peace-loving nations a world order under law dedicated to peace, security, freedom and the general well-being of all mankind". In addition, the Mexican proposal urged the great powers "to redouble their efforts in a spirit of solidarity and mutual understanding, to achieve in the briefest possible time the final settlement of the war and the conclusion of all the peace treaties", and in this task to associate with them either through the General Assembly or by means of a special conference, the states who signed or adhered to the Washington Declaration of January 1, 1942<sup>1</sup>. Both the First Committee of the General Assembly and the General Assembly in plenary session unanimously approved this resolution with only minor revisions in the text.

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<sup>1</sup> United Nations Declaration made in Washington on January 1, 1942 by the twenty-six allied states then at war with Germany, Italy and Japan, in which they agreed not to make a separate peace or armistice with their enemies.

### 13. The Military Staff Committee<sup>1</sup>

The Military Staff Committee was established under Article 43 of the United Nations Charter. Section 2 of this Article provides that the Committee shall be composed of "the Chiefs of Staff of the Permanent Members of the Security Council or their representatives". In February 1946 the representatives of the Chiefs of Staff of China, France, the United Kingdom, the United States and the U.S.S.R. met for the first time in London to establish the Committee.

When it began its work the Military Staff Committee was directed by the Security Council as its first task "to examine from the military point of view the provisions in Article 43 of the Charter and to submit the results of this study and any recommendations to the Council in due course." In April 1947 the Committee submitted to the Security Council its report on "General Principles governing the Organization of the Armed Forces made available to the Security Council by Member Nations of the United Nations". The Security Council began discussions of this report in June 1947 and approved those recommendations of the report on which unanimous agreement had been reached by all five representatives of the Military Staff Committee. However, when the Council commenced consideration of the recommendations of the Military Staff Committee on which unanimous agreement had not been reached, the Security Council itself was not able to resolve the differences of opinion on the first recommendation so considered, namely, Article 11 of the report relating to the composition of the armed forces to be made available to the Security Council. On June 26, 1947, the Security Council requested the Military Staff Committee to submit to the Council an estimate of the overall strength of armed forces to be made available to the Security Council, including the strength and composition of the separate components and the proportions that should be provided by the five permanent members. The report and the estimate of the Military Staff Committee are still under consideration by the Security Council.

The Military Staff Committee, meanwhile, has undertaken a provisional consideration of the "overall strength and composition" of these forces as outlined in a programme of work adopted by the Military Staff Committee on May 16, 1947.

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<sup>1</sup> See *Report on the United Nations Conference on International Organization*, Department of External Affairs, Conference Series, 1945, No. 2, pp. 36-37.

## 14. Palestine

As a member of the United Nations, Canada has been called upon during 1948 both in the Security Council and in the General Assembly to deal with questions relating to Palestine. The work of these two bodies has been mutually supplementary, the General Assembly being concerned with working out a plan of settlement while the Security Council has directed its efforts to preventing or arresting armed conflict between Jews and Arabs by means of truce procedures.

When the Security Council took up the Palestine problem in March and April 1948, Canada participated from the outset in its efforts to persuade Arabs and Jews either to arrange a truce themselves or to accept a truce planned by the Security Council. After the majority of a Committee composed of the permanent members of the Security Council agreed on March 19 that developments in Palestine could not be expected to follow the course outlined in the General Assembly's partition plan of November 29, 1947, the Canadian delegate analysed the reasons for the difficulties which had arisen, pointed out the importance of Great Power unanimity<sup>1</sup> and supported the Security Council's decision to call a special session of the Assembly to give further consideration to the future government of Palestine. He also voted for the resolution adopted on May 14 at the close of the special session of the General Assembly, providing for the appointment of a United Nations Mediator, whose chief function was "to promote a peaceful adjustment of the future situation in Palestine"<sup>2</sup>. This resolution relieved from the further exercise of its responsibilities the Palestine Commission which had been chosen to help carry out the Assembly's partition plan of November 1947.

In the months which followed Canada gave its full support to the work of the United Nations Mediator. On May 29 it voted in favour of the first truce resolution of the Security Council which actually took effect. This called for a four-week cease-fire, without prejudice to the rights, claims or position of parties to the conflict. It was provided that in case of non-compliance by either party, the situation in Palestine would be reconsidered by the Security Council with a view to taking enforcement action under Chapter VII of the Charter. The resolution specified also that neither fighting personnel nor war materials were to be introduced into Palestine or into neighbouring Arab states during the truce period. All governments were called on to help implement the resolution.<sup>3</sup> The Canadian government accordingly refrained from authorizing the departure for the named areas of fighting personnel and discouraged persons of military age from proceeding there from Canada. It gave no approval for the export of war materials to Palestine or to neighbouring Arab states.

The four-week cease-fire lasted from June 9 to July 7. When it proved impossible to secure an automatic extension of the truce, Canada supported a resolution of July 15 defining the renewed hostilities in Palestine as a threat to the peace within the meaning of Article 39 of the Charter, which

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<sup>1</sup> Text of the statement of the Canadian representative on the Security Council, March 24 is given in Appendix II-J, (1) pp. 230-232.

<sup>2</sup> The text of the resolution is given in Appendix II-J, (2), pp. 232-233.

<sup>3</sup> The text of this resolution is given in Appendix II-J, (3), pp. 233-234.



authorizes the Security Council to proceed to the consideration of military or non-military sanctions. For the first time interested parties were now definitely ordered to desist from further military action. The Mediator was authorized to establish procedures for dealing with breaches of the truce. The truce itself was to remain in force until a peaceful adjustment of the Palestine situation was reached.<sup>1</sup>

On August 19 Canada supported a supplementary resolution holding each party responsible for acts of irregular forces in territory under its own control and warning both parties that they must not resort to violations of the truce for purposes of reprisal.

The assassination of the United Nations Mediator by irregulars in the Jewish-held section of Jerusalem on September 17 led to the subsequent adoption of a further resolution providing for the greater safety of United Nations personnel and specifying the conditions under which truce observers were to work. Canada participated in this decision and in a series of resolutions in October and November dealing with a serious violation of the truce which occurred in southwestern Palestine in mid-October. It was first decided on November 4 that the Acting Mediator should establish in this region provisional lines beyond which no troop movements might take place. This he did on November 13. Permanent truce lines and neutral or demilitarized zones, under the November 4 resolution, were to be established subsequently by direct negotiations or through United Nations intermediaries or, failing agreement, by a decision of the Acting Mediator. On November 16 the Security Council went a step further when it adopted a joint Canadian, Belgian and French resolution calling on the parties to negotiate with a view to establishing an immediate armistice, which should include the delineation of permanent armistice demarcation lines and a withdrawal and reduction of armed forces sufficient to ensure the maintenance of the armistice during the transition to permanent peace.<sup>2</sup>

While the Acting Mediator and United Nations truce observers worked out gradually the practical application of the resolutions of November 4 and 16, the General Assembly gave further consideration to the stabilization of relations between the Arabs and the Provisional Government of Israel. This government was established by a proclamation issued in Tel Aviv on May 14, a few hours before the termination of the United Kingdom mandate, and had been recognized by seventeen Members of the United Nations, when the third session of the General Assembly opened.

The Assembly had before it a series of recommendations formulated by the United Nations Mediator just before his assassination in September. The chief features of these recommendations were as follows: The boundaries of the Jewish state, whose continued existence the Mediator felt there was no reason to doubt, should be fixed by agreement, or by the United Nations itself, on a more equitable and workable basis than that recommended by the Assembly on November 29, 1947. Western and northern Palestine might form the Jewish state, while southern Palestine and the eastern portion of central Palestine might be left to the Arabs to dispose of by agreement among themselves, although the Mediator believed the Assembly should recommend the transfer to Transjordan of the greater part of the Arab area. The United Nations should guarantee Arab-Jewish boundaries.

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<sup>1</sup> The text of this resolution is given in Appendix II-J, (4), pp. 234-235.

<sup>2</sup> The text of this resolution is given in Appendix II-J, (5), pp. 235-236.

Haifa should be a free port, Lydda a free airport. The Jerusalem area should be placed under effective United Nations control. Arab refugees should be repatriated and rehabilitated under United Nations auspices. A conciliation commission should supervise these various arrangements during the period of transition to peaceful conditions. The Mediator's proposals were embodied in a draft resolution presented by the United Kingdom delegate. This was subjected to drastic revision, first in committee and later in the General Assembly.

The Canadian delegate took the position that the people living in the area concerned must bear the main responsibility for working out the terms of their own association even though this would involve difficult concessions for both Arabs and Jews. The Assembly resolution should embody three principles, all of which must be taken together: (a) recognition of the existence of a Jewish state committed fully to principles of peaceful settlement, as evidenced by acceptance and putting into effect of truce and armistice arrangements of the Security Council; (b) the creation of a small commission of good offices to facilitate the negotiation of a final settlement, in Palestine itself, within the framework of truce and mediation proceedings worked out since November 29, 1947; (c) a call to both Arabs and Jews to co-operate in implementing the plan for international control of Jerusalem.<sup>1</sup>

A debate took place in committee on the questions of whether or not the existence of a State of Israel should be recognized by the Assembly and of whether or not the Mediator's proposals for the territorial division of Palestine should take precedence over the Assembly's partition plan of November 1947. The General Assembly finally adopted on December 11, 1948 a resolution whose chief features were as follows:

- (a) All references to the partition plan of November 1947 and the Mediator's proposals of September 1948 were deleted;
- (b) There was no direct allusion to the existence of a Jewish state in Palestine;
- (c) A Conciliation Commission of three members was to take steps to assist Arabs and Jews to reach a final settlement on all outstanding questions through direct negotiation or by negotiating with the Commission itself;
- (d) The Jerusalem-Bethlehem area was to be placed under effective United Nations control and the Security Council was asked to ensure its demilitarization as soon as possible;
- (e) Freest possible access to Jerusalem must be accorded to all inhabitants of Palestine;
- (f) The Conciliation Commission was to facilitate the repatriation and rehabilitation of refugees and the payment of compensation for loss of or damage to property;
- (g) It should also seek arrangements to facilitate the economic development of the area, prepare a detailed plan for a permanent international regime for the Jerusalem area, with local autonomy for distinctive groups, and call on Arab and Jewish authorities to give formal guarantees for the protection of holy places in the rest of Palestine, these guarantees to be submitted to the General Assembly for its approval.<sup>2</sup>

<sup>1</sup> For text of statement by the Chairman of the Canadian Delegation, in the First Committee of the General Assembly on November 22, 1948, see Appendix II-J, (6), pp. 236-240.

<sup>2</sup> The text of this resolution is given in Appendix II-J, (7), pp. 240-243.



An application for the admission of Israel to membership in the United Nations was submitted to the Secretary-General on November 29, 1948, with a request that the application be considered without delay. The question of Security Council procedure was discussed on December 2. Canada took the position—upheld by the majority in the Security Council—that it would be possible for the Security Council to judge the qualifications of Israel for membership only in relation to the resolution to be adopted by the General Assembly on Palestine. Until that resolution was formulated the Security Council would not know what it would be necessary for the Israeli authorities to do in order to fulfil their obligations to the Organization. Nor would it be possible until then to tell whether Israel would be able and willing to carry out these obligations.<sup>1</sup>

The Security Council considered Israel's membership application on December 17, six days after the general Assembly resolution had been adopted. A suggestion that action be deferred for a month, offered by the French delegate, was supported by five other states, including Canada,<sup>2</sup> but since seven affirmative votes were required it failed of adoption. The Security Council therefore proceeded without further delay to vote on the application. Five states supported the application (Argentina, Colombia, Ukraine, the United States and the U.S.S.R.). Syria opposed it. Five states abstained (Belgium, Canada, China, France and the United Kingdom). The application consequently failed of acceptance, but is expected to be renewed at a later date.<sup>3</sup>

On December 22 military activity was resumed in southern Palestine, where Israeli forces hemmed in the main Egyptian force based on Gaza and crossed the border into Egyptian territory after suspending normal arrangements for the observation of troop movements by United Nations representatives. On December 29 the Security Council dealt with the resulting situation in a resolution supported by eight members, including Canada. The resolution called for an immediate cease-fire, the provision of facilities for complete supervision of troops by United Nations observers and the implementation without further delay of the Security Council's November 4 resolution. A committee of seven was to meet on January 7 to consider the extent to which the resolutions of November 4 and 16 had been carried out. The Security Council expressed the hope that the Conciliation Commission would be established with as little delay as possible. When the year ended the Acting Mediator in New York and United Nations truce observers in Palestine were actively engaged in efforts to secure the co-operation of the parties concerned in putting an end to the conflict.

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<sup>1</sup> For text of statement by the Canadian representative on the Security Council on December 2, 1948 see Appendix II-J (8), p. 243.

<sup>2</sup> For text of statement by the Canadian representative on the Security Council on December 17, 1948 see Appendix II-J (9), pp. 244-245.

<sup>3</sup> For an account of Canada's *de facto* recognition of Israel on December 24, 1948 see *Report of the Secretary of State for External Affairs, 1948*.



## 15. Spanish Question<sup>1</sup>

There were no significant developments on the Spanish question in the United Nations during 1948.

The second session of the General Assembly in 1947 passed a resolution which expressed confidence that the Security Council would "exercise its responsibilities under the Charter as soon as it considers that the situation in regard to Spain so requires". As a consequence, in June 1948 the Security Council reviewed the question, and because no new developments had occurred which would justify the Security Council in taking up the matter, it was decided not to include the question of Spain on the agenda. Canada supported this decision, pointing out that if the situation in Spain did become a threat to international peace, there was nothing to prevent any member of the United Nations from again placing the matter on the agenda of the Council.

The Government of Poland proposed the following item for the agenda of the third session of the General Assembly:

"The question of Franco-Spain—Implementation of the resolutions and recommendations of the General Assembly of 12 December, 1946, and 17 November, 1947."

This was one of the matters postponed until the second part of the third session of the General Assembly in April, 1949.

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<sup>1</sup> For a full summary of the discussions at the second session of the General Assembly of the United Nations concerning Spain, see *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, pp. 63-66.

## 16. Trieste: Governorship

As a compromise between the rival claims of Italy and Yugoslavia to the city of Trieste, the Peace Treaty with Italy, signed at Paris on February 10, 1947, provided for the setting up of a Free Territory of Trieste and entrusted the integrity and independence of the Territory to the Security Council of the United Nations. The Council of Foreign Ministers submitted the proposed arrangements for Trieste to the Security Council for its prior approval, and on January 10, 1947, the Council accepted the responsibility for the Free Territory, on a motion by the United States.

The Security Council is required by the Peace Treaty to appoint a Governor for the Free Territory. Until this has been done, the Permanent Statute for the Territory remains in abeyance and the area is under military occupation by the military forces of the United Kingdom, the United States and Yugoslavia. The Governor is to be appointed by the Security Council, after consultation with Italy and Yugoslavia, for a term of five years, and his salary is to be borne by the United Nations. He is to have wide discretionary powers in the administration of the Territory and must, therefore, be a man with exceptional qualifications.

The Security Council first discussed the appointment of a Governor for the Free Territory on June 20, 1947, at the request of the United Kingdom. A number of candidates for the post were nominated in subsequent meetings by various members of the Security Council, but none was acceptable to all five permanent members. On December 18, 1947, at the suggestion of the United States, the Council asked Italy and Yugoslavia to consult upon a nomination and to report the results of their consultations. On January 23, 1948, the Security Council met to consider this report. The two Governments had each submitted the names of several candidates, but none was acceptable to both Italy and Yugoslavia. The five permanent members of the Security Council were therefore asked to make a further attempt at agreement on a candidate, in informal discussions. The Security Council reconsidered the question on March 9, 1948. No progress toward agreement had been made by the five permanent members, and the Security Council agreed to suspend discussions and to take up the question again at the request of any member of the Security Council.

On August 19, in the discussion of a Yugoslav complaint regarding the military administration of the United Kingdom-United States zone of Trieste<sup>1</sup>, the Ukrainian S.S.R. raised the question of the appointment of a Governor and submitted a resolution to the effect that the Security Council should regard the appointment of a Governor as an urgent matter. The United Kingdom representative pointed out that the only item on the agenda of the Council at that moment was the Yugoslav complaint, and therefore, a resolution on the Governorship was out of order. Most of the members of the Council, including Canada, abstained from voting on the resolution which, therefore, failed of adoption; the Security Council has not resumed discussion of the appointment of a Governor.

Canada, as a signatory to the Peace Treaty with Italy, was concerned that the provisions of the Treaty with regard to Trieste should be carried

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<sup>1</sup> See also Section II, Chapter 17, p. 81.

out as soon as possible. It has been the Canadian view, however, that it was undesirable for the Security Council to consider candidates for the Governorship who had been rejected by either of the two parties directly concerned — Italy and Yugoslavia. So far it has been impossible to find a candidate acceptable to both states. On March 20, 1948, the Governments of the United Kingdom, the United States and France addressed notes to the Government of the U.S.S.R. suggesting that, as the arrangements for the establishment of a Free Territory of Trieste had proved unworkable, and the Security Council had been unable to agree upon a Governor, a protocol to the Italian Peace Treaty should be negotiated by which Trieste would be returned to Italy. In a statement made in the House of Commons on April 5, 1948, the Secretary of State for External Affairs said that Canada supported this proposal to revise the Italian Peace Treaty.



## 17. Trieste: Yugoslav Complaint

Pending the appointment of a Governor for the Free Territory of Trieste by the Security Council, the Territory is administered by the military forces of the United Kingdom, the United States and Yugoslavia. On July 28, 1948, the Government of Yugoslavia addressed to the Security Council a complaint regarding the administration of the joint United Kingdom-United States Zone.

The Yugoslav complaint centered on four agreements on economic and financial matters concluded between the administration of the Anglo-American Zone of Trieste and the Government of Italy. It was the contention of Yugoslavia that these agreements, by which Italy supplies currency and foreign exchange for the Anglo-American Zone and finances its administration, and which provide for the absence of customs barriers between Italy and the Free Territory, have virtually incorporated the Zone into Italy. Since the Security Council is charged, by the Terms of the Italian Peace Treaty, with the responsibility for the integrity and independence of the Free Territory of Trieste, the Yugoslav Government asked the Council to declare the agreements with Italy to be a violation of the Treaty and to take the necessary steps to nullify them.

The Security Council discussed the Yugoslav complaint at meetings during August 1948. The delegates of the United Kingdom and the United States maintained that the Yugoslav charges were based on an unsound legal position, since they referred to the Permanent Statute of the Free Territory embodied in the Italian Peace Treaty; whereas the present arrangements in Trieste were governed by the Instrument for the Provisional Regime. Both delegations pointed out that the Provisional Statute required Italy to provide currency and foreign exchange for the Territory and argued that the disputed agreements simply carried out these provisions, pending the appointment of a Governor and application of the Permanent Statute.

On August 19, 1948 the Ukrainian representative on the Security Council moved a resolution endorsing the Yugoslav complaint, declaring the agreements with Italy illegal, and calling upon the Governments of the United Kingdom and the United States to refrain from future action in violation of the Peace Treaty. The representatives of the U.S.S.R. and the Ukrainian S.S.R. voted for this motion, but the remainder of the members of the Security Council abstained. The resolution therefore failed to be approved.

The Canadian representative on the Security Council did not participate in the discussion of the Yugoslav complaint and abstained from voting on the final resolution. It was the Canadian view that the question involved was one of conflicting interpretations of the legal rights and obligations under the Peace Treaty with Italy, and that the International Court of Justice, rather than the Security Council would be the appropriate body to determine the correct legal interpretation of a Treaty.



### **III. Economic and Social Questions.**





### III. ECONOMIC AND SOCIAL QUESTIONS

#### 1. The First Three Years of the Economic and Social Council

With the close of 1948, Canada's original three-year term as a member of the United Nations Economic and Social Council was completed. Inasmuch as Canada was one of six nations elected at the first General Assembly for a full-three-year period, it has had a unique opportunity to observe the manner in which the Council has been able to grow in strength and effectiveness throughout its brief existence.

The record of the Council during this period, particularly the first two years, has been essentially one of organizational growth and development. Only during the last few sessions have the questions of organization, procedure and structural development begun to give way gradually to more fundamental, substantive discussions of economic and social questions. This is perhaps inevitable in the development of international organizations, but it has been especially characteristic of the Economic and Social Council which has had to face the problem of relating itself to a wide variety of other international bodies with special responsibilities in the economic, social and cultural fields.

The Council serves as the focus of activities of a host of special commissions, sub-commissions, specialized agencies and non-governmental organizations, all of which interest themselves in some particular phase of international economic and social effort. With such a multiplicity of organizations, it is obvious that the effectiveness of each agency's programme depends in large degree on the extent to which its own activities are satisfactorily co-ordinated and integrated with those of other agencies. It has been the difficult and unenviable task of the Economic and Social Council to try to bring some order out of this confusing array of organizations and to develop an even and balanced pattern of international collaboration in respect to economic and social questions.

Such an assignment would, in the best of times, be difficult of successful achievement; and while it is only fair to say that a certain measure of success has attended the Council's efforts in the period under review, it must also be admitted that the conflicts and divided counsels of the United Nations membership on larger political issues have reflected themselves in the Council's work and prevented it from achieving as satisfactory a measure of progress as might otherwise have been possible. If it was ever the hope of those who framed the United Nations Charter that, by establishing a separate and independent Council to deal with international economic and social questions, they would be able to insulate the discussion of such matters from the political tensions and schisms of the times, those hopes have now been proven to be illusory.

When the Council first began to operate in the early part of 1946, it found itself faced with a variety of problems. Foremost among these in terms of urgency were those relating to the resumption of tasks in the economic and social fields which had at one time been undertaken by the League of Nations. Perhaps more pressing still were the urgent problems

of reconstruction and rehabilitation arising out of the aftermath of World War II. The economic problems of the devastated areas of Europe demanded immediate attention, and the plight of hundreds of thousands of refugees and displaced persons presented a social and humanitarian problem of equal urgency and magnitude. Because of these demanding pressures, the Council found itself in a position where it had to postpone consideration of longer-range economic and social problems until it could develop an emergency structure through which immediate measures of reconstruction and development could be undertaken in the areas of the world which found themselves in greatest need.

Accordingly, the Council, in its first year of operation, charted a course of action along several parallel lines. First of all, it began to develop its own organizational pattern, to establish its own rules of procedure, and to provide for the creation of subsidiary bodies to which it could delegate tasks in a number of specialized fields. By the end of 1946 it had established no less than nine special commissions. These commissions were the following:

- Commission on Human Rights
- Commission on Narcotic Drugs
- Commission on the Status of Women
- Economic and Employment Commission
- Fiscal Commission
- Population Commission
- Social Commission
- Statistical Commission
- Transport and Communications Commission

In addition to these bodies, a number of subordinate sub-commissions were also created, the most important of these being the Sub-commission on Economic Stability and Employment, the Sub-commission on Economic Development, the Sub-commission on Freedom of Information, and the Sub-commission on the Prevention of Discrimination and the Protection of Minorities.

With the establishment of these permanent commissions, it became possible for the Council to delegate to appropriate permanent organs of the United Nations certain continuing responsibilities which had at one time been borne by various agencies of the League of Nations, but which, in the years following the outbreak of the Second World War, had received little or no international attention. The continuing machinery established by the Council through the creation of such bodies as the Commission on Narcotic Drugs and the Social Commission made it possible for the supervisory authority over a number of international conventions, which had previously been vested in the League of Nations, to be transferred to appropriate United Nations organs in such a way as to make possible the resumption and the continuation of international control and supervision in the areas covered by these Conventions.

Coincident with this development of its own organizational pattern, the Council also initiated action which led to the establishment of a number of new intergovernmental organizations known as specialized agencies. One of the most urgent responsibilities facing the Council had to do with the establishment of some international machinery to carry on those social and humanitarian functions which had been, up to 1946, the responsibility of UNRRA. With the liquidation of UNRRA at the end of 1946, it was



realized that continuing provision would have to be made on a modified basis for international relief needs, and in particular for the needs of refugees and displaced persons. Perhaps the main achievement of the Council in the year 1946 was the establishment of the International Refugee Organization which was given the approval of the General Assembly, at the end of 1946, and eventually achieved the status of a fully constituted specialized agency in August of 1948. The International Refugee Organization has continued in the years following the liquidation of UNRRA to carry the main burden of responsibility for finding an adequate solution to the post-war refugee problem.

At the same time, the Council took the initial steps which resulted in General Assembly approval of the creation of the International Children's Emergency Fund. This agency was charged with the continuation, in modified form, of work previously entrusted to UNRRA in connection with international relief for children.

The Council was also responsible for taking the first steps, in the early part of 1946, to convene a World Health Conference which led to the establishment of the Interim Commission of the World Health Organization. The World Health Organization has, in 1948, achieved permanent status as a specialized agency. The Council likewise set up the Preparatory Committee which began the task of organization leading to the formation of the International Trade Organization.

A number of specialized, intergovernmental agencies had already been established prior to the first meeting of the Economic and Social Council. Some of these were of fairly recent origin, like the Food and Agriculture Organization, the United Nations Educational, Scientific and Cultural Organization, the International Bank for Reconstruction and Development, and the International Monetary Fund. Others were of longer standing, such as the International Labour Organization which had come into being after the first World War, and which had achieved in the years between the wars an outstanding record of international accomplishment. In accordance with the provision in the Charter of the United Nations which calls upon the Economic and Social Council to effect agreements with these intergovernmental organizations and to work out a satisfactory basis for co-ordinating their activities one with the other, the Council spent a great deal of its time in the first year of its existence in negotiating model agreements with a number of organizations, such as ILO, UNESCO and FAO. These agreements have been used in subsequent years as working models for the negotiation of similar agreements with other intergovernmental organizations, such as the International Telecommunications Union and the Universal Postal Union. At the present time some eleven intergovernmental organizations have entered into similar agreements with the United Nations through the Economic and Social Council and have thus acquired the status of specialized agencies, co-ordinating their activities through the machinery established by the Council for this purpose.

Perhaps the most important of all the tasks facing the Council from its inception was that of assisting in the economic reconstruction of those areas of the world which had been tragically devastated by the war. The economies of most of the countries of Europe had been distorted and in some cases almost completely wrecked in the six-year struggle. Many Asiatic countries found themselves in a similar plight at the conclusion of hostilities with Japan; and the problem so far as the Asiatic areas were

concerned was aggravated by the fact that their economies, even before the outbreak of war, were impoverished and underdeveloped in relation to the more intensely industrialized economies of Western Europe and of North America. The Council took prompt action at its first session, in 1946, to deal with these complex situations by establishing a temporary sub-commission on the problems of devastated areas. Working parties were sent to visit the areas in Europe and in Asia which had been most directly affected. As a result of the reports submitted after these survey teams had done their work, the Council, at its first meeting in 1947, established an Economic Commission for Europe, and followed this up in August of the same year by the establishment of an Economic Commission for Asia and the Far East. To these regional commissions was entrusted the formidable task of working out co-operative plans and methods by which the economies of all the countries in the regions affected would be restored as speedily as possible to normal health.

While recognizing that there were certain dangers inherent in any narrowly regional approach to the solution of the economic ills of particular areas of the world, the Council considered that, for a number of years at least, such an approach was necessary if the nations most seriously affected by the ravages of war were to be restored speedily and successfully to their normal place in the world's economy.

The establishment of these two regional commissions has, of course, focused attention equally on the problems of other areas of the world which, while not devastated by war, are handicapped by backward or poorly developed economies in their efforts to promote the fullest possible measure of world-wide economic prosperity. The Council consequently took steps to establish, early in 1948, an Economic Commission for Latin America and, at the close of 1948, had under consideration a proposal to establish an Economic Commission for the Middle East.

The problems presented by this regional approach to the solution of the world's economic problems have caused the Council some concern, and Canada has on a number of occasions added its voice to those of other countries which have pointed out the dangers to the development of a satisfactory world economy if too much emphasis is laid upon a narrowly regional approach to the solution of economic problems in particular areas. At the same time, it should be stated that the establishment of these regional Economic Commissions has not to date presented any serious problems. In fact, the Economic Commission for Europe has proved to be probably the most outstandingly successful of all the undertakings which the Economic and Social Council has been responsible for initiating since it began its operations in 1946.

In the course of the year 1948, the Council also brought to successful completion two important and fundamental undertakings in the social and humanitarian field. When the General Assembly gave final approval to the Universal Declaration of Human Rights and to the Convention for the Prevention and Punishment of the Crime of Genocide, these actions marked the culmination of two efforts which had engaged the attention of the Council almost from the beginning of its existence. Both of these tasks had been placed upon the shoulders of the Council by the General Assembly itself. In both undertakings the Council was moving in largely uncharted areas. The Declaration of Human Rights and the Genocide Convention have passed during the last two years through successive stages of study,



drafting and review, and stand today in their completed form, as approved by the General Assembly, as impressive landmarks, indicating the fact that, even in the midst of the storms of political dissension and economic rivalry, nations can still join together in a common respect for and insistence on the social decencies which should be the right of all mankind. Through slow and quiet accomplishment of tasks such as this, the Economic and Social Council is gradually gaining strength and fulfilling, as it gains in years and the sure touch of experience, some part, at least, of the high hopes that were held out for it when the Charter of the United Nations was framed in San Francisco in 1945.

As the various bodies established by the Council or brought into relationship with it from time to time have increased in number, the problem of co-ordination among these many international organs has naturally assumed progressively greater importance. With twelve commissions and the same number of specialized agencies, a number of sub-commissions and other temporary special-purpose bodies, and a whole host of non-governmental agencies occupying themselves with the entire international economic and social field, the Council has found it necessary to face the responsibilities placed upon it by the United Nations Charter and has attempted to develop adequate machinery for the co-ordination of these manifold activities.

It has had to keep an alert and watchful eye on the activities of the various divisions of the United Nations Secretariat and the commissions of its own creation. It has had to work out by delicate negotiations with the specialized agencies, each one alertly conscious and sensitive of its own "sovereign" rights, a pattern of co-operative action which would ensure adequate consideration for the total economic and social field with a minimum of overlapping. It has had to struggle at times with confusion verging on chaos as it tried to cope with a multiplicity of problems and a welter of agencies, many of which are too recent in origin to have established their programmes on clear-cut, practical lines.

There is little doubt that one of the problems facing the Council in the future will be that of simplifying this structure of international organization through the elimination of some bodies, through amalgamation and absorption of others into larger units or organs, and through more perfect co-ordination of the main international organs in the social and economic field. This will be a time-consuming, unspectacular task; but it is one in which the Council has already acquired a modest amount of experience and success. There is little doubt that a continuation and intensification of the Council's efforts to achieve a better degree of co-ordination will increase its own stature and prestige and contribute in a major way to the effective solution of the many important international economic and social problems with which the Council and its related agencies are called upon to deal.<sup>1</sup>

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<sup>1</sup> For text of Canadian statement at the third session of the General Assembly on the work of the Economic and Social Council see Appendix III-A, pp. 246-247.



## 2. Commissions of the Economic and Social Council

### a. Commission on Human Rights

The Human Rights Commission, which was formally established in June, 1946, by the second session of the Economic and Social Council, consists of representatives of eighteen members of the United Nations. Canada is not represented on this Commission.

In December, 1947, at its second session, the Commission on Human Rights prepared a draft International Bill of Human Rights. This consisted of a draft Declaration (a statement of fundamental principles), a draft Covenant (the basis for an international treaty) and a third section discussing the manner in which both the draft Declaration and the draft Covenant could be made effective. The draft Bill of Human Rights was circulated to Member Governments for their comments and the Declaration was then redrafted by a small Drafting Committee and submitted to the third session of the Commission on Human Rights, held at Lake Success, New York, May 24 to June 18, 1948. The third session of the Commission then made further revisions in the draft Declaration and transmitted it to the seventh session of the Economic and Social Council, meeting during July and August, 1948, in Geneva.

The Declaration gives a statement of fundamental political, civil, economic and social rights. As submitted to the seventh session of the Economic and Social Council and afterwards to the third session of the General Assembly, it contained 28 articles. The rights set forth in the Declaration were to be exercised subject only to "such limitations as are necessary to secure due recognition and respect for the rights of others and the requirements of morality, public order and general welfare in a democratic society." Owing to lack of time the Commission on Human Rights did not at its third session discuss in substance the two remaining parts of the international Bill of Human Rights, (that is, the draft Covenant on Human Rights and the measures for implementation). However, it recommended to the Economic and Social Council that the Commission should meet early in 1949 to complete its work on these sections. The Economic and Social Council at its seventh session did not debate the report of the third session of the Commission on Human Rights, but referred it to the third session of the General Assembly without comment.

The draft Declaration was considered in Canada in 1948 by a Special Joint Parliamentary Committee on Human Rights and Fundamental Freedoms which was first constituted in 1947. The terms of reference of both Committees were "to consider the question of human rights and fundamental freedoms, and the manner in which those obligations, accepted by all Members of the United Nations, may best be implemented;

"And, in particular, in the light of the provisions contained in the Charter of the United Nations, and the establishment by the Economic and Social Council thereof of a Commission on Human Rights, what is the legal and constitutional situation in Canada with respect to such rights, and what steps, if any, it would be advisable to take or to recommend for the purpose of preserving in Canada respect for the observance of human rights and

fundamental freedoms.” The Parliamentary Committee discussed each article in general terms and concluded that the Declaration would be more effective if stated in a shorter, more concise form. The Parliamentary Committee was opposed to certain articles which seemed unnecessary, and considered that the Declaration, as opposed to any Covenant that may later be developed, should contain statements of general principle rather than specific mandatory articles.

The Third Committee of the General Assembly began its study of the draft Declaration of Human Rights on September 30, and completed it on December 1. A very large number of amendments to the various articles of the Declaration was submitted and each article was discussed in detail. The attempt to reconcile different social, constitutional, economic and political ideologies made it difficult to reach an agreed text. However, in spite of the prolonged debate, the Declaration, as eventually accepted by the Third Committee, did not differ radically from the original draft submitted to it, except for the addition of a new clause extending the force of the Declaration to non-self-governing territories. Certain of the original articles were divided, so that the Declaration as finally adopted contains thirty rather than twenty-eight articles.

When the draft Declaration as a whole was put to the vote in the Third Committee, the Canadian delegation abstained from voting. In the plenary session, however, where the draft Declaration was approved by 48 votes in favour to none with 9 abstentions (Byelorussian S.S.R., Czechoslovakia, Honduras, Poland, Saudi Arabia, South Africa, Ukrainian S.S.R., U.S.S.R., Yugoslavia), the leader of the Canadian delegation, in announcing the Canadian intention to support the Declaration, explained that the earlier Canadian abstention was intended to emphasize Canadian misgivings on certain inadequacies and ambiguities in its drafting, and particularly to make clear the position of the Government of Canada in relation to a Declaration of Human Rights which dealt, in several important clauses, with matters within the competence of the provinces under the Canadian constitution. This position having been made clear, the Canadian delegation voted in favour of the Declaration<sup>1</sup>.

## **b. Commission on the Status of Women**

One of the problems which the United Nations is attempting to solve concerns the inferior position of women in many of its member states. In some countries women do not have the franchise, or are granted it on a limited basis only, and even in countries where women enjoy political equality with men they are frequently barred from certain professions, such as medicine and law. In the application of nationality laws and laws concerning the ownership of property, as well as regards employment opportunities, married women are frequently at a greater disadvantage than single women.

In the preamble of the Charter, the Members of the United Nations have reaffirmed faith in the equal rights of men and women and in Article I it is stated that the purposes and principles of the United Nations are, among others, to achieve co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinc-

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<sup>1</sup> The text of the Canadian statement is given in Appendix III-B, pp. 247-249; and the text of the Declaration as adopted is given in Appendix III-C, pp. 249-255.



tion as to sex. Accordingly, in June, 1946, the Economic and Social Council established a Commission on the Status of Women which consists of one representative from each of fifteen members of the United Nations selected by the Economic and Social Council. Canada is not represented on this Commission.

The function of the Commission is to prepare recommendations and reports to the Economic and Social Council on promoting women's rights in political, economic, civil, social and educational spheres. The Commission is also to make recommendations to the Council on urgent problems requiring immediate attention in the field of women's rights. The immediate task of this Commission is to examine the existing legal and customary disabilities of women in political and social rights, educational opportunities and, in consultation with the International Labour Organization, economic rights.

The Secretariat, in accordance with a resolution of the second session of the Economic and Social Council, has prepared a comprehensive questionnaire on the status of women based on a similar survey prepared by a Committee of Experts of the League of Nations. The first part of this questionnaire, covering the field of public law affecting the status of women, was sent to member states in 1947. The Canadian government submitted replies to all sections of Part I of the questionnaire on January 14, 1948.

The second session of the Commission on the Status of Women was held in January, 1948. In its report, the Commission made recommendations to the Economic and Social Council on several aspects of women's rights, devoting much attention to women's rights to vote and hold office. Of twenty-three resolutions dealing with political, educational and social rights, seven were submitted by the Commission on the Status of Women for the urgent consideration of the sixth session of the Economic and Social Council, February-March, 1948, so that action on them could be initiated immediately. At this session, the Economic and Social Council requested the Secretary-General to prepare reports on the franchise of women and their eligibility for public office in the various member states, and on their educational opportunities. The Economic and Social Council called upon Member States to implement the principle of equal pay for equal work for men and women workers.

The sixth session of the Economic and Social Council also transmitted to the Commission on Human Rights two suggestions of the Commission on the Status of Women for amendments to the draft Declaration on Human Rights. These were later included in the Declaration in a modified form.

At its seventh session, July-August, 1948, the Economic and Social Council considered the sixteen remaining resolutions on rights of women submitted by the Commission on the Status of Women. The consideration of these resolutions in the Human Rights Committee of the Economic and Social Council gave rise to a confused and acrimonious debate that extended through thirteen sessions of the Human Rights Committee and two plenary sessions, seriously dislocating the Economic and Social Council's time-table of work.

Since the nationality of women is affected in various ways by domicile, marriage and divorce, and since national laws conflict on many of these points, one of the resolutions which the Commission on the Status of Women submitted to the seventh session of the Economic and Social Council



requested the Secretary-General to obtain from Member States an account of their laws on nationality so far as they affect women married to husbands of different nationality and children born to parents of different nationalities, and to report to the Commission on the Status of Women on this and on existing treaties and conventions on nationality. The resolution also requested the Secretary-General to obtain the views of various United Nations organs on this subject and to forward to Member Governments the request that married women should have the same rights as regards nationality as are enjoyed by men and single women. However, as a result of persistent opposition by the delegation of the U.S.S.R., which contended that there were only a few isolated cases of discrimination against married women arising from conflicting nationality laws and that a resolution on the subject implied interference with the domestic jurisdiction of the governments concerned, the resolution which was finally approved merely requested the Secretary-General to prepare a report on the replies to the questionnaire on the Legal Status and Treatment of Women and on the relevant existing Treaties and Conventions and to draw up a suitable questionnaire which might be required for any future information.

The third session of the General Assembly decided to postpone until the second part of its session in April, 1949, consideration of the resolutions submitted by the Economic and Social Council on the status of women.

### **c. Economic and Employment Commission**

Canada is one of the fifteen countries nominated by the Economic and Social Council to appoint an expert to the Economic and Employment Commission for a three-year term of office. Mr. John J. Deutsch of the Department of Finance is the Canadian representative for the term ending December 31, 1949.

Under its terms of reference, this Commission, which was set up at the second session of the Economic and Social Council, has broad responsibilities for advising the Council on economic questions in order to promote higher standards of living. In particular, it advises on:

- (a) the prevention of wide fluctuations of economic activity and the promotion of full employment by the co-ordination of national full employment policies and by international action,
- (b) problems of the reconstruction of devastated areas and other urgent problems arising from the war so as to help various members of the United Nations whose territories have been devastated as a result of the war, and
- (c) the promotion of economic development and progress, with special regard to the problems of less developed areas.

The Commission draws the attention of the Council to the probable influence of policies and activities of the other Commissions of the Council, the specialized agencies, or other international organizations on these matters.

Two sub-commissions have also been established, each consisting of seven members elected for three-year terms by the Economic and Employment Commission. The first of these, the Sub-commission on

Employment and Economic Stability, is to study national and international full employment policies and fluctuations in economic activity; analyze the causes of these fluctuations, and advise the Commission on the most appropriate methods of promoting full employment and economic stability. The second, the Sub-commission on Economic Development, is to study and advise the Commission on the principles and problems of long term economic development, with particular attention to the inadequately developed parts of the world with the object of promoting the fullest and most effective utilization of national resources, labour and capital, raising the level of consumption, and studying the effects of industrialization and changes of a technological order upon the world economic situation.

At its first two sessions held during 1947, the Commission attempted to define and delineate its field of interest, developed detailed instructions for its sub-commissions and indicated the types of data and analyses which it expected the United Nations Secretariat to provide. Special attention was devoted to the question of technical assistance to Member Governments. Consideration was also given to the activities of the regional commissions and to the potential role of the Commission in the co-ordination of its work with that of the specialized agencies.

The reports of the Commission on these sessions were subsequently examined by the Economic and Social Council which approved a number of resolutions giving effect to many of the recommendations. In particular the Council created machinery for the provision of technical assistance for the purpose of advising Governments in connection with development programs. It also approved the recommendations regarding studies by the Secretariat. As a result of these latter recommendations a number of studies including the first periodic survey on world economic trends, "Economic Report on Salient Features of the World's Economic Situation 1945-47" as well as a "Directory of Economic and Statistical Projects" were published in early 1948.

The Commission held one session during 1948. At this session it dealt mainly with problems of economic development and economic stability, especially inflation. In the course of these discussions, the work of its two sub-commissions was examined carefully. Two major resolutions were approved: the first, dealing with technical and expert assistance, drew attention to facilities of this kind already available to Member Governments through the United Nations; the second attempted to set forth certain principles for assisting the economic development, and especially the industrialization, of underdeveloped countries. The discussion leading to approval of these resolutions was lengthy and contentious, with the industrialized countries of the west usually in disagreement with the representative of the U.S.S.R., and to a lesser extent with the representatives of "underdeveloped countries". A number of members contended that the Commission was dealing in generalities and that its recommendations were too academic. The feeling was that more specific suggestions were essential. As a result, a Committee on Organization (of which Canada is a member) was established to examine the question of future organization and terms of reference of the Commission and its sub-commissions. This Committee is to consider the matter and to formulate recommendations on it during the fourth session of the Economic and Employment Commission.



The report of the third session of the Economic and Employment Commission was considered by the Economic and Social Council at its seventh session in July, 1948. The Council approved the draft resolution on "technical assistance" but felt that the other resolution on "economic development" was too general. Although it agreed that this resolution represented a "useful interim formulation of the principles which should guide the Commission in its consideration of the problems of underdeveloped areas", it requested the Commission to give further consideration to these problems and to "make recommendations which bear more explicitly" on them.

As a further result of these criticisms, the Council also decided to examine the organization of the Economic and Employment Commission at a future session in order to determine "the most effective way to fulfil the purposes for which the Economic and Employment Commission and its sub-commissions were established". The understanding was that this examination should be held as soon as the Commission had been able to consider the views of its Committee on Organization.

The Canadian delegation took an active part in the discussion of all these questions. The final text of the resolution on economic development was based on a Canadian draft, and a Canadian amendment was incorporated into the resolution on organization. In the course of the discussion, both in the Commission and the Economic and Social Council, the Canadian representative pointed out that the difficulties the Commission was experiencing were not entirely of an organizational or technical character but reflected the wide disagreement on political and economic aims and objectives which existed between the countries of the West and those in the Soviet orbit. He also emphasized the necessity for a closer integration of the activities of the Economic and Employment Commission with those of the regional Commissions.

#### **d. Fiscal Commission**

The Fiscal Commission was established by a resolution passed by the third session of the Economic and Social Council in October, 1946. The Fiscal Commission's main work is the collection of information on figures of public debt from 1914, on public finance from 1937, and on international tax treaties. It consists of representatives of fifteen members of the United Nations.

While not a member of the Fiscal Commission, Canada has taken an active part in the field of international tax treaties, and has always recognized the desirability of codifying sound international tax practices.

The Fiscal Commission has given consideration to the possibility of compiling material on national tax laws and regulations insofar as they concern foreigners or have an extra-territorial implication. The Commission also proposes that governments should be consulted on model tax treaties prepared by the League of Nations in 1943 and 1946, which might serve as a basis for the negotiation of bilateral treaties.

Basically, there can be no one model that properly fits the views of the two groups of nations which have differing status in their international accounts, namely, the creditor nations and the debtor nations. The League of Nations' model Conventions were drawn up primarily from the point of view of creditor nations and technically followed the "European system"



of eliminating double taxation by dealing with individual kinds of income, one nation giving up its right to tax this particular kind of income. Canada has generally maintained the principle that a nation has a prior right to tax at the source on incomes flowing abroad and, at the same time, to accept the responsibility of granting relief from double taxation to its own residents by allowing a tax credit in respect of taxes at the source levied by foreign governments.

The Commission has shown an interest in the tabulation of material on laws and regulations under which mutual assistance is undertaken between national tax administrations in the assessment and collection of taxes. As far as Canada is concerned, provisions of this nature are not found in the ordinary tax laws but are contained in international tax treaties. Generally speaking, Canada has refrained from undertaking to provide an automatic international flow of tax information.

### **e. Narcotics Control**

The most noteworthy achievement during 1948 in the international control of narcotic drugs was the signature on November 19 at the Palais de Chaillot in Paris by representatives of 47 nations of a new protocol to bring under international control dangerous drugs, particularly synthetic drugs developed during the war, not covered by previous international conventions. The fact that this new protocol was drafted, considered by member governments, revised, passed through the Economic and Social Council and the General Assembly and opened for signature all within a period of 18 months is a gratifying indication that where there is an international will to co-operate, the United Nations can and does supply the way.

The Commission on Narcotic Drugs held its third session at Lake Success, New York from May 3 to May 22. Colonel C. H. L. Sharman continued to be the Canadian representative on this fifteen member Commission. The functions of the Narcotics Commission are to advise and assist the Economic and Social Council in applying and supervising the application of the various international conventions relating to narcotic drugs and to draft any new conventions needed. A part of the session was therefore devoted to the consideration of annual reports of governments, new laws and regulations passed by various governments, a study of the illicit traffic, discussion of the problem of abolition of opium smoking in the Far East and a review of questionnaires completed by governments on the subject of drug addiction.

The Commission recommended to the Economic and Social Council that it ensure that the proposed Convention on the Prevention and Punishment of Genocide cover the use of narcotic drugs as a powerful instrument of committing the crime of genocide. This recommendation was based on information submitted by the United States representative on the use by the Japanese occupation authorities in Manchuria of narcotic drugs for the purpose of undermining the resistance and impairing the physical and mental well-being of the Chinese population.

The Commission appointed Colonel C. H. L. Sharman, the Canadian representative, to be its representative on the Drug Supervisory Body.

Much of the session was devoted to discussion of preparations for a conference on the limitation of the production of raw materials. The

Director of the Division of Narcotic Drugs in the United Nations Secretariat reviewed some of the problems to be taken into account in bringing into focus again the draft convention on limitation of the production of opium drawn up in 1939 by the Opium Advisory Committee of the League of Nations. The Commission finally recommended that the Economic and Social Council request the Secretary-General to begin work on the drafting of a new single convention to codify the previous conventions and in which provision would be made for a single body to perform all control functions (i.e. consolidation of the Permanent Central Opium Board and the Drug Supervisory Body) excepting those which are now or may later be entrusted to the Commission on Narcotic Drugs. The new draft convention was to include provisions for limitation of the production of narcotic raw materials.

Pending the adoption of the new codified convention the Commission by a vote of 6 to 5 with four abstentions decided to recommend that studies be initiated on the desirability of convening a conference of the opium-producing countries and of countries using opium in the manufacture of drugs for medical and scientific needs for the purpose of reaching an interim commodity agreement limiting the production and export of opium to these needs. The results of these studies and enquiries were to be submitted to the fourth session of the Commission in May, 1949.

Another matter of general interest dealt with was a recommendation that the Economic and Social Council approve the issue of a United Nations Narcotic Bulletin to make available information on the control of narcotics. The Commission passed a resolution regarding the initiation of a joint programme of research for establishment of scientific methods of determining the origin of raw opium. The early despatch of a Commission of Enquiry to Peru to study the effects of the habit of coca leaf chewing among the Indians of the Andes was also urged. After reviewing the observations made by governments on the draft protocol to bring under control drugs outside the scope of the 1931 convention, the Commission recommended that the revised text should be sent forward urgently so that it could be approved by the Economic and Social Council and the General Assembly at their next sessions.

The Economic and Social Council at its seventh session at Geneva, July-August, approved the various recommendations of the Narcotics Commission. The only difference of view arose over the question of whether ratification of the new protocol on synthetic drugs by a metropolitan power would automatically apply the convention to the territories for whose foreign relations the power is responsible. The majority voted for inclusion of the so-called colonial escape clause as its deletion would have greatly delayed ratification by certain metropolitan powers.

The General Assembly itself approved unanimously on October 8 the Protocol to bring under International Control Drugs outside the scope of the 1931 Convention. The Protocol was signed on behalf of Canada without reservation as to approval. Provision already exists in the Canadian Opium and Narcotic Drug Act for new drugs to be added by Order-in-Council to the schedule of dangerous drugs appended to the Act.

#### *The Permanent Central Opium Board*

This Board is empowered by a Protocol dated December 11, 1946, whereby a majority of the Contracting Parties to the Conventions of 1925 and 1931 transferred the powers formerly possessed by the Council of the League of Nations to the Economic and Social Council of the United



Nations; the latter body, on March 2, 1948, appointed as Members of the Permanent Central Opium Board:

Mr. Herbert May (United States of America)	Professor H. Fischer (Switzerland)
Sir Harry Greenfield (United Kingdom)	Dr. P. Pernambuco Filho (Brazil)
Professor P. Reuter (France)	Dr. M. Ristic (Yugoslavia)
Professor S. Tavat (Turkey)	Dr. Y. N. Yang (China)

The Board, which is an independent and quasi-judicial body established under the 1925 Convention, held sessions in Geneva during June, September and November, during which the various problems of administration of the Narcotic Conventions were examined, including (1) control questions affecting 17 countries; (2) export and import discrepancies affecting 23 countries and territories; (3) import excesses; (4) stock excesses; (5) excess manufacture. Study was also devoted to the synthetic drug situation, particularly as affecting the work of the Board when the new Protocol becomes effective, as expected early in 1949. Cases in which it had been necessary to embargo further shipments to certain countries were also examined. Joint sittings with the Supervisory Body were held in relation to subjects common to both bodies such as excessive heroin consumption in certain countries. The Board is now receiving 80% of all returns due under the Conventions. The opium situation in Iran also received special attention, and steps were taken to collaborate with the U.N. Narcotics Commission and Secretariat in the drafting of one overall Narcotic Convention which would tighten up the present conventions where necessary and also cover the complicated subject of limitation of production.

### *The Drug Supervisory Body*

In accordance with the 1931 Narcotic Convention, and the Protocol of December 11, 1946, the four members of the Drug Supervisory Body were appointed during 1948. One member (Mr. May) was appointed by the Permanent Central Opium Board for one year, two members by the World Health Organization (Professors Fischer and Tavat) for five years and one member finally, by the U.N. Narcotics Commission, which appointed Colonel C. H. L. Sharman, the Canadian representative on the Commission, for a period of five years. It will be seen therefore that 3 members of the Drug Supervisory Body are also members of the Permanent Central Opium Board, an arrangement which makes both for efficiency and economy.

The Supervisory Body held meetings, each lasting a week, in September and November, and several joint meetings with the Permanent Central Opium Board. The Supervisory Body examined and passed upon 93 annual, revised or supplementary estimates of narcotic requirements for 1948 received from 41 countries and 52 territories. The Supervisory Body also examined and passed upon estimates for 1949 received from 66 countries and 83 territories. Many of these were returned for further details and in some instances it was necessary to take exception to the enormous quantities involved, particularly in relation to heroin. Estimates were also framed by the Supervisory Body for 7 countries and 5 territories. The Supervisory Body also considered estimates for synthetic drugs received from 21 countries and 8 territories.



## **f. Population Commission**

The Population Commission was established by a resolution passed by the Economic and Social Council at its third session in October, 1946. The Council instructed the Commission to arrange for studies and advise it on all population problems.

The Commission is composed of twelve representatives nominated by the member states. Liaison with other organs and agencies concerned with population problems is maintained by representatives from the Economic and Employment Commission, the Statistical Commission, the International Labour Organization, the Food and Agriculture Organization, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the Social Commission, and the International Bank for Reconstruction and Development; all of these take part in the Commission's work but have no vote. Canada is represented on this Commission and has nominated Mr. J. T. Marshall of the Dominion Bureau of Statistics to serve until December 31, 1949.

The subjects dealt with so far by the Population Commission may be divided into two main groups: the development of population data and estimates; and the analysis of population data and of their relationships to economic and social factors.

Clearly, the collection of international population statistics cannot be an end in itself. Having laid the ground work, the Commission has also made plans for the analysis of a number of major population problems. These include the study of the interplay of the economic, social and demographic factors which may hinder both the attainment of an adequate standard of living and the cultural development of the population of countries; and migration and population problems in trust territories.

On these topics of theory and analysis, there naturally arise substantial differences of opinion. Canada faces no immediate danger of a declining population, and at the same time the relationship of population to resources is unusually favourable. Thus, Canada is in a position to study population problems and present its view without being under the pressure of urgent population problems felt by some other countries.

The Commission has so far held three sessions, in February and in August, 1947, and in May, 1948. Much preliminary work has been accomplished, and a comprehensive programme to be carried out by the Secretariat has been drawn up. At its future sessions, the Commission is likely to concern itself mainly with reviewing and discussing the reports prepared in accordance with this programme. In this way, fundamental issues of theory and analysis will be worked out by the Commission.

## **g. Social Commission**

The Social Commission was established by a resolution of the second session of the Economic and Social Council (ECOSOC) in June, 1946. Its duties are to advise the Economic and Social Council on social problems in general, on programmes to improve social conditions, on the co-ordination of United Nations measures to deal with social problems and on related international agreements and conventions. This Commission consists of one expert from each of eighteen members of the United Nations selected by

the Economic and Social Council. The term of office of members of the Commission is three years. Canada is a member of this Commission and has nominated Dr. George Davidson, Deputy Minister, Department of National Health and Welfare (Welfare) to serve on it until December 31, 1950.

The Advisory Committee of the Social Commission on Planning and Co-ordination, of which Canada was a member, met in March, 1948. This Committee in its report to the third session of the Social Commission recommended priority topics for consideration by the Social Commission, and dealt also with the possibility of unco-ordinated activity by the Secretariat or by the specialized agencies. It reported that subjects to be given priority should be: (a) social welfare services; (b) prevention of crime and treatment of offenders; (c) the suppression of prostitution, traffic in women and children, obscene publications; (d) standards of living; (e) housing; (f) migration; (g) child welfare. At the seventh session of the Economic and Social Council held in Geneva during July and August, 1948, it was decided that the fourth session of the Social Commission should give priority to the consideration of the 1937 draft Convention on Prostitution.

Recognizing that there were other means provided both by the Secretary-General and by ECOSOC for ensuring co-ordination in the field of social welfare, members of the Social Commission at its third session did not press for the continuance of its Committee on Planning and Co-ordination. However, it was felt that the committee had served a useful purpose, not only in the study and co-ordination of programmes, but also as an advance agenda committee. It was proposed by the Canadian representative that an advance agenda committee be constituted to meet before the fourth session of the Social Commission in 1949. This proposal was accepted, and Canada was appointed a member of this agenda committee.

The Secretariat presented an extensive report on the progress made in housing and town and country planning, a report favourably received by various members of the Social Commission at its third session held in April, 1948. The Canadian representative, however, questioned the value of the meeting of experts on tropical housing held at Caracas. The Canadian view was that tropical housing is a matter of local and regional concern, rather than a problem requiring international action.

The third session of the Social Commission also discussed the prevention of crime and the treatment of offenders; much of the discussion turned on the relationship between the Social Commission and the International Penal and Penitentiary Commission.

The Secretariat presented to the third session a preliminary study on relative standards of living. The Commission agreed to request the Secretariat to prepare a further report for the fourth session of the Social Commission, a report to include an account of the work of all United Nations organs concerned with standards of living.

A resolution summing up the conclusions of the third session of the Social Commission on advisory social welfare services was submitted to the seventh session of the Economic and Social Council. The resolution recommended to the Economic and Social Council that it in turn propose to the General Assembly that the advisory social welfare services be continued during 1949, that the programme include the same basic services as in 1948, and that the policies and procedures of 1948 be continued. It was further recommended that the Secretary-General continue his efforts to bring about increased financial participation by recipient governments, and that the



funds to be provided for these services in 1949 should be at least equal to those appropriated for 1948. This resolution was adopted by the third session of the General Assembly in plenary session on December 8, 1948.

The Social Commission recommended the transfer to the United Nations of the functions formerly exercised by the French Government (under the International Agreement of May 18, 1910), for the Suppression of White Slave Traffic and (under the International Agreement of May 4, 1910), for the Suppression of Obscene Publications. The Economic and Social Council placed a resolution to this effect on the agenda of the third session of the General Assembly which adopted it in plenary session on December 3, 1948.

It was decided to recommend to the Secretary-General that the subject of family, youth and child welfare be studied further, and that while following the 1924 Geneva Declaration of the Rights of the Child, the Secretary-General should consider more recent concepts of child welfare when drafting a United Nations Charter of the Rights of the Child. This study would be pursued in consultation with governments and interested organizations, and a report would be presented to the fourth session of the Social Commission.

The delegation of Argentina placed on the agenda of the third session of the General Assembly a resolution concerning a Declaration of Old Age Rights. The resolution was referred to the Economic and Social Council for a detailed study of old age rights.

## **h. Statistical Commission**

The Statistical Commission was established by the Economic and Social Council at its second session in June, 1946. The Commission assists the Council in advising on national statistical methods and on measures to improve, on an international basis, the standards of comparison between national statistics. The Commission advises the United Nations on the interpretation and publication of statistical information, promotes the improvement of statistics and of statistical methods generally, co-ordinates the statistical work of the specialized agencies, and is responsible for the development of the Central Statistical Services of the Secretariat of the United Nations.

The Commission is composed of representatives from sixteen States, including Canada which has nominated Mr. H. Marshall, Dominion Statistician, who is to serve on the Commission until December 31, 1949. Canada has taken an active part in the work of the Commission which has been formulating a system of statistical processes to be used internationally. From its own thirty years experience of centralized statistical organization, Canada has been able to advise in establishing an efficient international system.

One of the noteworthy achievements of the Statistical Commission is the establishment of an International Standard Industrial Classification of All Economic Activities. This classification was accepted by the Economic and Social Council at its seventh session and recommended to Governments as a basis for achieving international comparability of basic industrial statistics.



As part of its programme, the Statistical Office of the United Nations publishes *The Monthly Bulletin of Statistics*, *The Statistical Year Book* and *The Demographic Year Book*. Annual statistics of external trade are also being prepared. The Statistical Office also publishes studies on specific research projects.

In accordance with the decision taken in 1946 by the General Assembly to continue the exercise of the technical and non-political functions of the League of Nations under international conventions, the Statistical Commission, at its second session, in September, 1947, drew up a draft Protocol and Annex for the transfer to the United Nations of the functions and powers exercised by the League of Nations under the international convention relating to economic statistics, signed at Geneva on December 14, 1928.

The Economic and Social Council, at its sixth session, in March, 1948, approved a draft resolution transmitting this Protocol to the third session of the General Assembly. The Assembly approved the Protocol and Annex with certain technical amendments on November 17, 1948 and the representative of Canada signed it on behalf of his government on December 9, 1948.

## **i. Transport and Communications Commission**

A permanent Transport and Communications Commission was set up by the Economic and Social Council in June, 1946, to replace a temporary body which had been established in February, 1946.

The Transport and Communications Commission consists of one representative from each of fifteen members of the United Nations, selected by the Economic and Social Council and with a term of office of three years. Canada is not a member of the Transport and Communications Commission.

The Commission assists the Economic and Social Council in matters relating to transportation and communication problems. The Commission has held two sessions since its formation. The first session, held from February 6 to 18, 1947, was concerned with telecommunications, and a proposal for an inter-governmental organization in the field of shipping and inland transport.

The report of the second session of the Transport and Communications Commission, held from April 12 to 20, 1948, was considered at the seventh session of the Economic and Social Council held from July 19 to August 28, 1948. On the basis of the Commission's recommendations the Economic and Social Council adopted nine resolutions. These provided for:

- (i) the initiation of a study of the competence of various international bodies to deal with barriers to the international transport of goods.
- (ii) the convening of a conference not later than August, 1949, to conclude a new world-wide Convention on Road and Motor Transport.
- (iii) the study of problems of inland transport in Asia and the Far East and in Latin America, and of problems of maritime shipping in Latin-America.
- (iv) the transmission of the report of the Preparatory Committee of Experts on safety of life at sea to the organizations represented at the Committee, as an initial basis for co-operation amongst them.

- (v) the initiation of a study of the requirements and comparability of statistics in the transport field.

The Economic and Social Council also requested that the Secretary-General report to the Transport and Communications Commission on the progress made by Member Governments to reduce, simplify and unify passport and frontier formalities "to the extent consistent with national security."

## **j. Economic Commission for Asia and the Far East**

Canadian interest in the work of the Economic Commission for Asia and the Far East—ECAFE—arises from Canada's concern as a Pacific nation that economic recovery should contribute to the restoration of peaceful conditions in the region, and Canada's desire as a major trading nation of the world to participate in the expansion of trade and commerce in the Pacific basin.

ECAFE was established by a resolution of the Economic and Social Council on March 28, 1947, to initiate and participate in measures for facilitating concerted action for the economic reconstruction of Asia and the Far East, for raising the level of economic activity there, and for maintaining and strengthening the economic relations of these areas both among themselves and with the other countries of the world. The geographic scope of the Commission extends from China to Pakistan. Nepal was brought within the scope of the Commission in 1948. Original members of the Commission were: Australia, China, France, India, the Netherlands, the Philippines, Siam, the Soviet Union, the United Kingdom and the United States. Subsequently Burma, New Zealand and Pakistan became members. Canada did not seek membership in the Commission; it was satisfied that provision had been made for interested countries to be associated with the work of the Commission when matters of concern to them arose.

Associate memberships carrying full privileges except the right to vote in plenary session have been extended to Hong Kong, Ceylon, the Malayan Federation, Cambodia, Laos, the Indonesian Republic and the rest of Indonesia. Representatives of the Supreme Commander for the Allied Powers in Japan have attended sessions of the Commission to be available for consultation regarding Japanese economic matters in their relation to economic development plans in the other East Asian countries. In this connection it is interesting to note that Canada is the only member of the eleven nation Far Eastern Commission, the policy making body for Japan during the occupation period, that is not a member of ECAFE. The work of ECAFE also brings it into close touch with the Food and Agriculture Organization, the International Labour Office and the International Monetary Fund.

The first two meetings of ECAFE in 1947 were necessarily organizational and exploratory in character. While the countries of East Asia have many historical and cultural links their economies have never been closely interrelated on a regional basis except during the short period of Japanese exploitation of its so-called East Asia Co-prosperity Sphere. Economic statistics have never been fully available for the countries of the Far East. With the dislocation of the war years and continuing civil disturbances in



several of the countries data on which economic reconstruction and development plans could be based remained difficult to secure. And yet the collection of this information was an essential preliminary to a realistic discussion of programmes that might be undertaken jointly by the countries of the region. The Secretariat set about collecting the needed information. This fact finding is not yet complete by any means, but it is possible now to record that progress has been made. The "Economic Survey for Asia and the Far East" for 1946 and 1947 show the progress already made. The survey for 1948 is expected to show a further striking improvement.

The third session of the Commission held at Ootacamund, India, from June 1 to June 12, 1948, brought ECAFE to the end of its planning stage. From these first three meetings of the Commission emerged a programme for concerted action in the spheres of food production and distribution, flood control, industrial development, inland transportation, technical training, trade promotion and finance. It was also noted that the economic future of Japan and its relationship to the rest of Asia and the Far East would have to be held constantly in view.

The Commission had recognized that food shortages in certain areas within the region represented its most pressing and immediate problem. At Ootacamund resolutions were adopted calling for close and continuous co-operation between ECAFE and the Food and Agriculture Organization (FAO) and for the creation of an ECAFE-FAO Working Party to deal with the question of food shortages. It was recommended that a primary aim should be the reduction of prices of essential foods. Flood control was recognized as a pre-requisite to the attainment of full agricultural production. To this end the Commission recommended to the Social and Economic Council the establishment of a Bureau of Flood Control.

With regard to industrial development, the Commission set certain short and long-term objectives. The short-term objectives were established with a view to increasing the production and availability of consumer goods in order to satisfy immediate requirements. Established industries dislocated as a result of the war were to be rehabilitated. Local industries were to be developed to reduce imports requiring foreign exchange, to provide materials needed to increase agricultural production, to augment transportation facilities, to provide power for industries, and to further the exploitation of agricultural and mineral wealth. The long-term industrial objectives set by the Commission envisaged full utilization and development of natural resources, the establishment of key industries, and the creation of balanced and diversified economies. An appeal was made to the more industrially advanced countries of the world to make available to Asia and the Far East supplies of capital goods. Countries within the region were requested to specify their needs in this respect.

Intra-regional trade was to be fostered by the establishment of a Trade Promotion Section within the Secretariat and the exchange of information between governments regarding import needs and export possibilities. Trade arrangements with Japan were advocated, and the Commission resolved that Japanese trade and industrial plans should be adjusted to the needs of the ECAFE countries, within the limits set by the Far Eastern Commission and the Japanese peace treaty to be concluded.

The Economic and Social Council at its seventh session in August considered the report of ECAFE. Discussion arose over Soviet proposals urging the "elimination of colonial and semi-colonial dependence" in the



economic development of the countries of the ECAFE region. The majority in the Council could see no direct connection between the fact that some territories in the region were non-self-governing and that all of them were economically under-developed. The Council took action on the creation of a Bureau of Flood Control.

The fourth session of ECAFE was held at Lapstone, Australia from November 29 to December 11. Discussion followed the pattern of previous meetings. A Report on Food and Agricultural Conditions in the Far East during 1948 prepared by FAO was praised and it was recommended that the Secretariat continue co-operation with FAO in the preparation of studies on the economic aspects of the agricultural problems of the region. Further, suitable steps were to be taken to make known the needs of the region to countries in other parts of the world who produce agricultural requisites. An early conference of agricultural officials jointly sponsored by FAO and ECAFE was also advocated. A resolution on technical training commended the International Labour Organization for its comprehensive report on technical training and took note of the ILO's proposals to appoint a tripartite committee on manpower and to set up an information, advisory and operational field office in Asia.

A comprehensive report was received from the Commission's Working Party on Industrial Development. It consisted of a survey of the condition and needs of the ECAFE countries with regard to fuel and power, agricultural implements, irrigation and drainage, basic materials, textiles and heavy industrial equipment. The importance of this report was acknowledged and it was resolved that a Committee of the Whole should study the report, make concrete proposals upon it, and set up the machinery to implement the proposals.

A Committee of the Whole was also to continue the study of trade and finance, including the possible utilization of Japan's productive capacity to aid the economic development of the ECAFE countries. ECAFE members requiring external aid in financing the import of capital goods were advised to formulate specific development projects with a view to obtaining assistance from private investors as well as from the International Bank and other agencies. They were urged to consult such agencies about anti-inflationary measures and problems of foreign exchange.

The Commission's fifth session will be held at Singapore at some time during the first half of 1949.

## **k. Economic Commission for Europe**

In December, 1946, the United Nations General Assembly recommended that in order to give effective aid to the countries devastated by war, the Economic and Social Council should "give prompt and favourable consideration to the establishment of an Economic Commission for Europe." In accordance with this recommendation, a resolution was passed by the Economic and Social Council at its fourth session in March, 1947, establishing an Economic Commission for Europe, with a membership comprised of the European members of the United Nations and the United States of America. In addition to the permanent members, European nations not members of the United Nations or any United Nations members may be invited to participate, in a consultative capacity, in the work of the Com-

mission. Provision is also made for the participation, in a consultative capacity, of representatives of specialized agencies and inter-governmental organizations when matters of particular concern to them are under consideration. Canada is not a member of this Commission but has followed closely the work of the main body and has sent observers to meetings of the Commission and of some of its Committees.

The terms of reference of this Commission state that, acting within the framework of the United Nations, and subject to the general supervision of the Economic and Social Council, it should initiate and participate in measures for facilitating concerted action for the reconstruction of Europe, for raising the level of European economic activity, and for maintaining and strengthening the economic relations of the European countries both among themselves and with other countries of the world. While the Commission is not empowered to take any action with respect to a country without that country's agreement, it may, with the consent of the Government concerned, carry out investigations on technical and other matters within any member nation.

The Economic Commission for Europe has had three sessions at Geneva, the first from May 2 to 14, 1947, the second from July 5 to July 16, 1947, and a third from April 26 to May 8, 1948. As a result of these sessions, technical committees have been established by the ECE to deal with a wide range of commodity problems.

A Coal Committee has assumed the functions of the former European Coal Organization in recommending the allocations of available European coal supplies. A fertilizer sub-committee and a timber sub-committee have met to make recommendations for increasing the production of nitrogenous fertilizers and timber respectively. A Steel Committee, with the co-operation of the Coal Committee has actively discussed the possibilities of increasing European steel production.

As an exporter of substantial quantities of steel to Europe, and as a nation vitally interested in obtaining adequate supplies of commercial steel scrap, Canada has been interested in the work of the Steel Committee and has provided the Committee with valuable statistical information on Canadian steel production.

In addition to the work carried out by the Commodity Committees of the ECE special committees, such as the Inland Transport Committee and the Electric Power Committee, have made important contributions towards the restoration of the European economy. The Inland Transport Committee has taken over and expanded the work formerly performed by the European Central Transportation Organization. The Electric Power Committee has been conducting a survey of European large scale power resources, examining the possibilities of an international high-tension network, and the desirability of further standardization of electrical equipment.

An effort was made towards improving economic relations between the countries of Eastern and Western Europe at the last session of the Commission which concluded on May 8, 1948. A European Trade Committee was established with broad terms of reference, including the exchange of information and the study of East-West, and extra-European trade. Another Committee on Agriculture was set up to study agricultural problems of joint concern to ECE and the Food and Agriculture Organization, and in particular the means of increasing food supplies. The Economic Survey, compiled by the ECE Secretariat, was examined at the last session of



the Commission. This survey disclosed that, while Europe is making good progress, there are still serious obstacles in the way of attaining full economic recovery. Some of these obstacles are the diminished volume of intra-European trade compared with the prewar period; diminished production relative to population, accompanied by monetary inflation; and inability, for various reasons, to resume export trade.

## 1. Economic Commission for Latin America

The Economic Commission for Latin America was established in February, 1948, by the sixth session of the Economic and Social Council. By its terms of reference, the Commission is to initiate and to participate in concerted action designed to deal with urgent economic problems arising out of the war; to raise the level of economic activity in Latin America; and to maintain and strengthen the economic relations of the Latin American countries among themselves and with other countries of the world. Its membership is open to members of the United Nations in North, Central and South America and in the Caribbean area; and to France, the Netherlands and the United Kingdom. Canada is not a member of this Commission.

The Commission's first session was held in Santiago, Chile, in June, 1948. It was attended by representatives of all Latin American countries, representatives of France and the United States, the Netherlands and the United Kingdom, because of their colonial possessions in the Latin American and Caribbean region, also attended. The Inter-American Economic and Social Council and seven specialized agencies of the United Nations were also represented.

The principal purpose of this first session was to define the scope of the Commission's activities within its terms of reference, and to give its secretariat detailed instructions for immediate projects of documentation. The Commission agreed upon the preparation of an economic survey of Latin America which is to be completed in time for the second session of the Commission scheduled to be held in Havana in 1949. It was agreed by all delegations that the preparation of this survey was an "urgent and essential need" and that it would be the means of providing the Commission with the necessary statistical and economic data on which to base its future work. The Commission also agreed to establish a joint Working Group with the Food and Agriculture Organization to study means of increasing food production through the elimination of supply shortages and the improvement of transport. The Commission also agreed upon the scope of its activities in order to avoid duplicating the work of the Inter-American Economic and Social Council of the Organization of American States.

The report of the first session of the Economic Commission for Latin America was approved by the seventh session of the Economic and Social Council and the conclusions of the report were incorporated in the report of the Economic and Social Council to the third session of the General Assembly.



### 3. Freedom of Information

From its first session, the General Assembly of the United Nations has regarded freedom of information as a fundamental human right.

In a resolution passed on February 13, 1946, the General Assembly observed that "the United Nations cannot achieve the purpose for which it has been created unless the peoples of the world are fully informed of its aims and activities." Freedom of information, the General Assembly further declared on December 14, 1946, "is the touchstone of all the freedoms to which the United Nations is consecrated.

"Freedom of information implies the right to gather, transmit and publish news anywhere and everywhere without fetters. As such it is an essential factor in any serious effort to promote the peace and progress of the world . . . Understanding and co-operation among nations are impossible without an alert and sound public opinion which, in turn, is wholly dependent upon freedom of information."

By the same resolution, the General Assembly instructed the Economic and Social Council to arrange a conference on freedom of information which would be guided by the following principles:

"(a) The purpose of the Conference shall be to formulate its views concerning the rights, obligations and practices which should be included in the concept of the freedom of information;

(b) Delegations to the Conference shall include in each instance persons actually engaged or experienced in press, radio, motion pictures and other media for the dissemination of information;

(c) The Conference shall be held before the end of 1947, at such place as may be determined by the Economic and Social Council, in order to enable the Council to submit a report on the deliberations and recommendations of the Conference to the following regular session of the General Assembly."

The Economic and Social Council subsequently informed the General Assembly that it was not practicable to hold the Conference in 1947 and decided that it should be held in Geneva, commencing March 23, 1948. The Economic and Social Council further approved a provisional agenda for the Conference prepared by the Sub-commission on Freedom of Information, composed of experts nominated in their individual capacity. This group included Mr. G. V. Ferguson, editor of *The Montreal Star*.

Delegations from fifty-four governments attended the Conference which met in Geneva, Switzerland, from March 23 to April 21, 1948. Observers were present from the governments of Bolivia, Iran and Ireland and from a number of inter-governmental and non-governmental organizations.

The Canadian delegation consisted of representatives of the daily and periodical press, the Canadian Broadcasting Corporation and the Department of External Affairs.

The Geneva Conference adopted three draft conventions, articles for the proposed Declaration and Covenant on Human Rights and forty-three resolutions.

The first draft convention originated with the United States. Contracting states undertake to encourage the maximum freedom of movement

of foreign correspondents in the performance of their functions, and to expedite in a manner consistent with their respective laws and procedures, administrative measures necessary for the entry, residence, movement or travel of foreign correspondents. Contracting states also undertake to permit the widest possible access to news for all correspondents on the same basis as for national correspondents.

The second draft convention, which originated with the French delegation, makes provision for an international right of correction. Under it an attempt is made, on the international level, to check false or distorted reports, sent from one country to another, and likely to injure friendly relations between states.

The third draft convention, which originated with the United Kingdom delegation, lays down basic freedoms of information. It provides that each contracting state shall encourage the establishing and functioning within its territory of one or more non-official organizations of persons employed in the dissemination of information to the public in order to promote the observance by such persons of high standards of professional conduct.

The forty-three resolutions adopted by the Geneva Conference relate to: general principles; measures to facilitate the gathering and international transmission of information; measures concerning the free publication and reception of information; continuing machinery to promote the free flow of information.

The Canadian delegation held that free access to sources of information and freedom of expression are indispensable to the democratic process. Without a precise knowledge of the facts, the chief Canadian delegate argued, the people could not intelligently exercise their powers of direction and control over their governments.

Applying these general principles, the Canadian delegation, while approving as a whole the three draft conventions and the draft article 17 for inclusion in the Covenant on Human Rights, made reservations on provisions which might open the way to peacetime censorship of news.

The Geneva Conference referred the conventions and resolutions to the Economic and Social Council for study at its seventh session which opened in Geneva on July 19, 1948. With the exception of Resolution 39 (which proposed to extend the Sub-commission on Freedom of Information and the Press for three years) the Economic and Social Council referred conventions and resolutions, without recommendation, to the General Assembly. Consideration of Resolution 39 was postponed until the eighth session of the Economic and Social Council.

The three draft conventions came before the Third Committee of the General Assembly of the United Nations in Paris on December 7. The third session of the Committee on a vote of 28 to 8 decided, however, to defer consideration of the conventions till the second part of the third session of the General Assembly in April, 1949. The decision of the Third Committee was subsequently confirmed at a plenary meeting of the General Assembly.



#### 4. International Children's Emergency Fund

The International Children's Emergency Fund was established by a resolution of the General Assembly in December, 1946, primarily to care for the children and adolescents of countries which were victims of aggression. The Fund, which operates under an Executive Board of representatives of twenty-five countries including Canada, is now conducting feeding or health programmes in twelve countries in Europe, and in China, India and in Pakistan.

Twenty-eight countries have made donations to the Fund amounting to about \$70,000,000, and the Fund has also received more than \$30,000,000 from the residual assets of the United Nations Relief and Rehabilitation Administration (UNRRA). The Fund will also be receiving about \$30,000,000 as the result of campaigns conducted in most countries of the world during 1948. The United States made an appropriation to ICEF of \$75,000,000, but this sum will become available to ICEF only as payments are received from other donating countries; for every \$28 thus donated the United States will contribute \$72. Canada contributed \$5,200,000 in 1947, but has made no contribution in 1948. The Fund's total resources at the end of 1948 amounted to approximately \$110,000,000 of which about \$78,000,000 will be spent in 1949. Available funds, however, fall far short of needs.

The ICEF programme consists mainly in providing one supplementary meal a day to children and to nursing and pregnant mothers, a meal for which the Fund furnishes the protective foods (milk, meat or fish, fruits and cod liver oil). As the world supply of powdered milk is inadequate for present needs, the ICEF arranged a conference with the Food and Agriculture Organization and with the European receiving countries to consider means of increasing the milk supply in countries receiving aid from the Children's Emergency Fund.

Certain countries wishing to contribute to the work of the Children's Fund, but unable to provide food, have made available such surplus raw materials as they possess, notably hides, wool and cotton. These have been accepted by the Children's Fund and have been allocated to countries which are prepared to undertake the necessary processing into shoes, clothing and bedding.

The Programme Committee of ICEF, of which a Canadian will again be Chairman in 1949, extended its operations this year to include all occupied zones of Germany. The United Kingdom, United States and French zones had earlier made application for assistance from the Fund and a survey of conditions in those zones was undertaken. A request from the Soviet authorities that ICEF undertake a programme in the Soviet zone of Germany was received early in October of 1948. Children of Germany are to receive cod liver oil together with clothing and shoes which will be manufactured from wool and hides donated by other countries. The ICEF has also undertaken a health programme in India and Pakistan because of the emergency resulting from refugee problems in both areas.

The International Children's Emergency Fund has undertaken several programmes of medical aid in co-operation with the World Health Organization. At present the ICEF has undertaken anti-tuberculosis projects



including vaccination of children with the new BCG Vaccine<sup>1</sup>, anti-syphilis campaigns, demonstrations on malaria control and a number of medical programmes in the Far East where adequate large scale feeding programmes are impracticable since the need is limitless.

The World Health Organization has been consulted regarding medical projects undertaken by the ICEF; and the Health Organization urged the two bodies to establish a joint committee to consider all medical proposals. This committee is now in operation. The Children's Fund retains the right to decide whether or not it will spend money on any suggested project, but has undertaken that its medical programmes will be put into effect in accordance with medical policy approved by the joint committee.

During 1948, the Programme Committee, including its Canadian Chairman, visited Poland, Czechoslovakia and Italy to see the feeding and health programmes in operation. The Committee was gratified with the manner in which the various programmes were being conducted in spite of many difficulties, and its members were satisfied that the food is reaching the children for whom it is intended. It was also unhappily apparent to the Committee that the need was much greater than could be met with the resources at the disposal of the Children's Fund.

At the third session of the General Assembly which met in Paris from September to December, 1948, it was decided that the United Nations Appeal for Children, which during 1948 had conducted campaigns for public support in most countries of the world, should be put under the direction and administration of the International Children's Emergency Fund. It was agreed, moreover, that all countries conducting campaigns for funds in aid of the United Nations Appeal for Children must agree, in using the name "United Nations Appeal for Children" to assign the entire proceeds of their campaigns to the International Children's Emergency Fund. It is expected that many countries will conduct campaigns for this purpose in 1949.

The third session of the General Assembly also accepted the financial report and accounts of the International Children's Emergency Fund for the year ended December 31, 1947.

From the resources which are now available to the Children's Fund allocations have been made to continue the feeding programmes in Europe until June 30, 1949. Additional programmes elsewhere than in Europe will be made as resources permit. It is the hope of the International Children's Emergency Fund that permanent national plans for maintaining and improving child welfare and nutrition will be put into effect in the countries now receiving aid under the stimulus of the programmes which have hitherto been conducted by the Children's Fund.

Late in the year 1948, in response to urgent requests from the United Nations Assembly, the Children's Fund made two allocations totalling \$6,411,000 to establish emergency feeding programmes for children and mothers in Palestine and the neighbouring territories.

Elections for 1949 resulted in the re-election of the representative of Poland as Chairman of the Executive Board, and of the representative of Canada as Chairman of the Programme Committee.

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<sup>1</sup> Bacillus-Calmette-Guerin (named for its discoverers).

## 5. Migration

The question of migration came before the third session of the General Assembly when its Joint Second and Third Committee considered a resolution put forward by Ecuador and Colombia during the discussion on the report of the Economic and Social Council. This resolution recommended that the Economic and Social Council should initiate surveys of undeveloped regions in order to evaluate the possibilities of their development by systematic migration from the over-populated countries of Europe; that technical assistance should be made available to governments for the preparation of such programmes and that the International Bank for Reconstruction and Development should give special consideration to loans to implement them. In introducing the resolution the representative of Ecuador said that its purpose was to provide for the development of under-developed areas of South America and at the same time to provide permanent homes for the surplus population of Europe. A similar Peruvian resolution was considered at the same time by the Joint Second and Third Committee.

In the Joint Committee there was an inconclusive discussion on undeveloped areas. Some delegates said that migration should be treated as a world-wide problem, not confined to the over-populated areas of Europe. Others contended that the Economic and Social Council had already produced a well-co-ordinated plan of studies on migration and economic development and that, in any case, the main problem in Europe was not over-population but rather a lack of capital resources.

Various resolutions and amendments were considered. The Joint Second and Third Committee finally voted on a compromise proposal submitted by the representative of India, to the effect that the General Assembly deemed it inexpedient to decide on new recommendations on economic development and migration, but that the Assembly should transmit to the Economic and Social Council the resolutions and amendments together with the records of the discussion on this subject which had taken place in the Joint Committee. This resolution was unanimously approved by the General Assembly in plenary session.



## 6. United Nations Appeal for Children

The United Nations Appeal for Children (UNAC) was authorized by a resolution of the General Assembly in December, 1946. An international Committee was created for UNAC, consisting of the Chairman or a representative of each existing national Committee, and of one representative of each of the United Nations non-governmental consultative organizations, to conduct a campaign for funds. National Committees, some governmental and some under voluntary direction, were established during the autumn of 1947 in some forty-five countries; and by June, 1948, campaigns were completed in thirty-five countries.

Although the original intention of UNAC was to collect funds by voluntary subscription which would be put at the disposal of the International Children's Emergency Fund (ICEF), in only a few countries (China, Iceland, New Zealand, the Philippines) were the entire proceeds given to ICEF. Some of the larger contributing countries (the United States, Canada, Australia, the United Kingdom) arranged joint appeals in which voluntary relief agencies, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other organizations participated in varying degrees.

In December, 1947, the National Council for UNAC in Canada found it advisable to combine its appeal with an appeal which had been organized earlier by the Canadian Council for Reconstruction through UNESCO (CCRU), an association representing some fifty or sixty educational, cultural, and scientific organizations in Canada. An agreement was made whereby all expenses of the joint campaign would be pooled and the contributions would ultimately be divided, in the ratio of 60-40 to UNAC and to CCRU respectively.

The official campaign was launched in Canada on February 1, 1948. By the end of September, 1948, the total public contribution, together with a grant of \$400,000 from the Canadian Government, amounted to \$2,847,163. When the net funds of the campaign are finally divided, it is expected that the National Council for UNAC in Canada will be able to put at the disposal of the ICEF, for purchase in Canada of relief supplies, approximately \$1,350,000. The total proceeds of the world-wide UNAC amounted to about \$31,000,000 at the end of November, 1948, with reports still outstanding from a few countries.

At the seventh session of the Economic and Social Council, the report of the Secretary-General on the United Nations Appeal for Children was considered. Resolutions from the International Labour Organization, the World Health Organization and the Non-Governmental Organizations Conference held in Geneva in May were presented, expressing the hope that UNAC would be continued.

The Economic and Social Council decided, however, that the UNAC section of the Secretariat should be dissolved and that the Secretary-General should be relieved of further responsibility for conducting a second appeal. Where National Committees have been set up and are prepared to conduct a second appeal, the Economic and Social Council considered that the National Committees should be encouraged to renew their campaigns,



but that the essential direction and administrative functions of the United Appeal for Children might be assumed by the International Children's Emergency Fund.

The third session of the General Assembly approved the principle of the decision by the Economic and Social Council. It was agreed further that national campaigns using the name "United Nations Appeal for Children" must be conducted for the benefit only of the International Children's Emergency Fund and that the ICEF should assist in the conduct of national campaigns and should provide international co-ordination of government and non-governmental appeals for the benefit of children.

## 7. Co-ordination of the Work of the Economic and Social Council

At the United Nations Conference on International Organization held at San Francisco in 1945, Canada took a leading part in proposing that the Economic and Social Council should have authority to co-ordinate the activities of the specialized agencies. This proposal was adopted and was included in the Charter of the United Nations as Article 63(2).

A committee was established by the Economic and Social Council at its third session, in September, 1946, "for the purpose of taking all appropriate steps under the leadership of the Secretary-General to ensure the fullest and most effective implementation of the agreements entered into between the United Nations and the specialized agencies." This committee is composed of international officials including the Secretary-General of the United Nations and the appropriate officers of the specialized agencies.

The committee has discussed co-ordination in budgetary, organizational and administrative matters; in programmes of work; in the conduct of regional activities and in various substantive questions which are of interest to more than one agency. The Directors-General of the International Labour Organization, the Food and Agriculture Organization and the United Nations Educational, Scientific and Cultural Organization, the President of the Council of the International Civil Aviation Organization, the Secretary-General of the United Nations and the Assistant Secretaries-General of the interested Departments of the Secretariat have been present at some or all of the meetings held by the committee during the calendar years 1947 and 1948.

During 1947 the question of co-ordination, in addition to being dealt with by the committee of officials, was discussed by national representatives at the fourth session of the Economic and Social Council, at a joint meeting of the co-ordination committee and the Advisory Committee on Administrative and Budgetary Questions, and at the second session of the General Assembly.

At the sixth session of the Economic and Social Council, February 4 to March 19, 1948, the whole matter of co-ordination of international activities in the economic and social field was recognized to be of such urgency that a special *ad hoc* committee composed of government delegates, of which the Canadian representative was chairman, was set up to study and report on further steps to be taken to ensure the most effective co-ordination of the work of the various organs of the United Nations. Particular reference was made, during the debates of the Council, to the authority which could properly be delegated to a co-ordination committee. Canada, together with China, New Zealand and the United States, was of the opinion that there were certain weaknesses in the existing arrangement which, in effect, gives most of the Council's responsibility for co-ordination to a committee of administrative officials or to the Secretary-General himself. Accordingly these nations supported the establishment of a committee of national representatives, rather than officials, to study the revision of existing co-ordination arrangements.

Five resolutions on co-ordination, recommended by the *ad hoc* committee, were approved by the Council. These resolutions:

- (i) requested specialized agencies to submit annual reports, including specifically requested information;
- (ii) asked the Secretary-General to report on the co-ordination measures taken with the specialized agencies, on the existence of inter-governmental organizations similar to any United Nations bodies, and on personnel and work programmes of the economic and social departments of the Secretariat;
- (iii) requested the committee of officials to make suggestions to the Council at its next session on the form and content of specialized agencies' reports;
- (iv) requested commissions to establish priorities of work in their respective programmes;
- (v) provided for the appointment of a committee to consider co-ordination in general at the next session of the Economic and Social Council.

The report of the *ad hoc* committee which was also adopted at the Council at its seventh session, contains the following main points on which agreement was reached:

(a) the principles, machinery and techniques for co-ordination developed during the past two years had proved adequate to date and that, as more experience was obtained in applying them with flexibility, they should provide an appropriate basis for dealing with those co-ordination problems which might arise in the immediate future;

(b) formal machinery should be kept to a minimum and informal consultation and other forms of co-operation at the working level should be further developed;

(c) although it was recognized that many problems might arise in the future, as the United Nations and specialized agencies expand their activities into new areas involving potential duplication, it would not be wise to attempt to anticipate these future requirements on a purely theoretical basis;

(d) co-ordination problems should be dealt with on a priority basis, in connection with which a wide measure of discretion should be given to the Secretary-General and the Administrative Committee on Co-ordination to select and prepare studies on specific topics which the Council should consider at future sessions; and

(e) although the Council should maintain the leading role in the field of co-ordination assigned to it by Article 58 of the Charter, all arrangements between the United Nations and the specialized agencies should, to the greatest possible extent, be based on co-operation in order to permit the functional autonomy of each organization to be maintained.

The Canadian delegation supported these views and drew attention to the responsibility of Member States, commissions and other subsidiary organs of the Council to be vigilant in watching for co-ordination problems and in bringing these to the notice of the Council. Stress was laid on the



value of informal consultation and other forms of co-operation at the working level, rather than a reliance on formal machinery. Concerning the Economic and Social Council's procedure for dealing with co-ordination matters, the Canadian delegate suggested that, in the future, the Economic and Social Council might wish to deal with the volume of documentation some time before the session. It was suggested this might be arranged by expanding the Agenda Committee and increasing its responsibilities to include examination of co-ordination problems. This Agenda Committee could submit, in addition to the usual report on the agenda, a report listing those co-ordination problems to which the Council should give its attention. The Canadian delegation was of the opinion that, in this way, the work of the Council might be expedited with resulting economies, and that it might then be possible to dispense with the *ad hoc* committee on co-ordination.



#### **IV. Specialized Agencies.**





## IV. SPECIALIZED AGENCIES

### 1. Food and Agriculture Organization

The Food and Agriculture Organization, which came into existence in 1945 as a result of the United Nations Conference on Food and Agriculture held in May, 1943, at Hot Springs, Virginia, was founded for the purpose of raising levels of nutrition and standards of living, securing improvements in the efficiency of the production and distribution of all food and agricultural products, and bettering the condition of rural populations and thus contributing towards an expanding world economy.

The Organization collects and disseminates information relating to these subjects, and promotes and recommends to governments national and international action directed toward achieving the objectives outlined. It also offers advisory technical assistance to individual member governments when requested to do so. Since the third session of the FAO Conference, held in Geneva in August, 1947, one important task of the Organization has been to prepare a yearly survey of the state of food and agriculture. This survey, which is based upon a series of National Progress Reports prepared by member governments, combined with statistical information compiled by the FAO Secretariat, is intended to indicate the major current problems in food and agriculture, and to suggest ways in which solutions may be found.

Beginning January 1, 1948, FAO also took over the functions of the International Emergency Food Council. That is to say, it now considers the submissions made by participating governments of their estimated export availabilities and import requirements of certain essential agricultural products which are still in short supply. It also recommends what it regards as the best and most equitable world distribution. It has no powers of binding allocation and participating governments are free to comply or not with its recommendations.

Canada, as an important agricultural producer, has a considerable interest in FAO and has contributed a great deal to its work. It was at Quebec that the constitution of the Organization was drawn up in October, 1945. A Canadian was a member of the original committee of independent experts which served as the Executive of the Organization, and Canada is at present a member of the eighteen-nation Council which has replaced this Committee. Since agricultural producers in Canada are usually abreast of modern and efficient techniques in production, this country will in all probability draw less than some others upon the direct technical assistance afforded by the FAO; but on the other hand it will benefit from the scientific and statistical work and, in a more general way, from participation in a forum where much national and international policy relating to agricultural production and distribution is discussed and developed. Canada's yearly contribution to this agency is approximately \$191,000 (Can.).

During 1948, much of the work of FAO was carried on in regional conferences and committees. Conferences devoted to an examination of the agricultural problems of specific regions were held in Cairo for the Near East and in Baguio, Philippines, for the Far East. Recommendations arising out of the Cairo Conference included an instruction to the Director-

General to take all possible steps to assist the respective governments to carry out projects (in this case chiefly irrigation projects) for bringing new land into cultivation and for increasing the productivity of land already in use. A temporary regional office for the Near East was set up. As a result of the Baguio Conference, the initial steps have been taken to assist governments in extensive projects for increasing the productivity of rice lands and improving methods of production, storage, and handling of basic foodstuffs. A regional office was set up for South and East Asia, and the establishment of a Rice Council, which would enable governments to deal cooperatively with problems of production and distribution, was recommended. This recommendation was later adopted by the fourth session of the FAO Conference in 1948. Other regional and special conferences have taken similar steps to deal with the particular problems before them. These special conferences included one on forestry problems held at Teresopolis, Brazil, and one on nutrition in Montevideo, Uruguay. In addition, an FAO European Commission on Forestry and Forest Products was organized in accordance with the recommendation of the Marianske Lazne Conference held in 1947.

At its fourth session, held in Washington, November 15-29, 1948, the Conference of FAO adopted a report on the state of food and agriculture which urged that, in spite of the generally good crops of 1948, there should be no over-optimism regarding future levels of nutrition and living standards. World reserves of food were found to be still low, and the tendency continued to be too dependent upon exports from the Western Hemisphere. It was also found that in some areas, particularly in the East and Near East, rapid increase in population continued to diminish the per capita supply of food and other agricultural products. Other decisions taken by the Conference included an instruction to the Council to arrange for a review, at each session of the Conference, of commodities as they are affected by agreements, international trade, and distribution. A preliminary review of commodities within the purview of the FAO is to be completed and submitted to member governments early in 1949, together with any suggestions that the Council of FAO may see fit to make, in the light of its analysis, for further governmental action in respect of any other commodity or group of commodities. Other action by the fourth session of the Conference, apart from that relating to constitutional and administrative questions, was concerned chiefly with a review of the technical work of the Organization for the year 1948. The question of the world food supply was placed on the agenda of the third session of the General Assembly by the delegation of Poland which requested that the Assembly consider the problem of food wastage in certain countries, and by the delegation of Cuba which recommended the reduction of taxes on food stuffs. These two resolutions initiated a long general discussion in the course of which many resolutions and amendments were submitted to the Second Committee which considered the question. Finally by a vote of 22 in favour, 7 against with 11 abstentions (including Canada) a lengthy resolution was recommended to the General Assembly for adoption.

When this resolution was considered in the plenary session of the General Assembly, amendments jointly sponsored by the Canadian, the United Kingdom, the New Zealand and the United States delegations, which deleted specific references to high profits of middlemen and speculators and which



put into general terms a recommendation to the Economic and Social Council concerning its continuing study of the problem, were adopted. The resolution as amended:

- (a) invited member states to accord high priority to measures to avoid food losses from wastage and to other measures designed to raise to a maximum the effective quantity of food available for consumption and export, to review existing taxes on food and to eliminate profiteering on food stuffs;
- (b) called upon the Economic and Social Council in consultation with the Food and Agriculture Organization and the other specialized agencies concerned, to continue to consider the problem of increasing the world's food supply and the international trade in food products.

The resolution as amended was adopted by 35 votes in favour (including Canada) 1 against and 2 abstentions.

## 2. Inter-governmental Maritime Consultative Organization

The aim of the proposed Inter-governmental Maritime Consultative Organization (IMCO) is to promote co-operation among governments on issues of international shipping and to encourage widespread adoption of the highest safety standards.

It is proposed that IMCO will have, when organized, an Assembly of all members, a Council of sixteen members, including a Maritime Safety Committee of fourteen members, a Secretariat and such subsidiary organs as may be found necessary. Its headquarters will be in London. Normally the Assembly is to meet every two years. The Council is to meet as often as necessary and the Maritime Safety Committee at least once each year. The Council will have exceptional powers which include in certain cases the power of veto over the Assembly of IMCO. It will deal with discriminatory and restrictive practices of governments and of shipping companies. Only the operation of ships will come within its province; ship building is excluded. IMCO's functions will be purely consultative and advisory.

The first step toward the formation of IMCO was taken in June, 1946, when the United Nations asked the United Maritime Consultative Council, the international shipping control body which succeeded the wartime United Maritime Authority, to give its views on "the question of establishing a world-wide inter-governmental shipping organization to deal with technical matters". The United Nations Maritime Conference, meeting in Geneva in February and March, 1948, approved a Convention to establish an Inter-governmental Maritime Consultative Organization (IMCO) as a specialized agency of the United Nations. When twenty-one nations, of which seven shall each have a total tonnage of not less than one million gross tons, have ratified the Convention, this international body to deal with shipping will come into being within the framework of the United Nations. In this regard Canada has taken the lead and is the first and, to date, the only country to have ratified the Convention. It is hoped that within the next six months the ratifications of the required number of states will be deposited. A recommendation that the United States join IMCO should be considered early in the next session of Congress.

The Conference in Geneva prepared and adopted a resolution relating to the Safety of Life at Sea Conference held in London under United Kingdom auspices in April, 1948, and adopted a resolution relating to the report of the Preparatory Committee of Experts on Co-ordination of Safety at Sea and in the Air.

Since then the Preparatory Committee established by the Conference as a "caretaker" until the Convention comes into effect has met twice, in March, 1948, in Geneva immediately following the United Nations Maritime Conference and again in November at Lake Success. The Committee consists of the representatives of twelve states, including Canada, which has been elected to the chairmanship. Its task has been to prepare for the first meeting of the Assembly of IMCO and to arrange for IMCO's formal relationship with the United Nations. The draft Agreement drawn up by the Committee was approved by the third session of the General Assembly of the United Nations.

The Committee adopted a draft budget for the Organization totalling £20,000 annually for the first two years, to be submitted to the IMCO Assembly. It is proposed that all member nations contribute equal shares, with the proviso that those less able to contribute or having smaller interests in the Organization may, on application to the IMCO Assembly, have their contribution reduced by one half. The balance would then be covered by those members contributing full shares. As IMCO's permanent headquarters will be in London, future contributions will be largely in sterling. The initial budget provides for the salaries of a Secretary-General of the Organization, a Secretary of the Maritime Safety Committee and a Deputy for each. The Committee is in the meantime asking the United Nations for a loan of not more than \$50,000, to be advanced from the United Nations Working Capital Fund, payable within two years.

A draft of Rules of Procedure and a provisional agenda for the first Assembly were adopted. The Preparatory Committee will hold one more session at the time the Assembly is convened.

The states represented on the Preparatory Committee are Argentina, Australia, Belgium, Canada, France, Greece, India, the Netherlands, Norway, Sweden, the United Kingdom and the United States.



### 3. International Bank for Reconstruction and Development

The purpose of the International Bank for Reconstruction and Development is to assist in the reconstruction and development of the productive resources of member countries by promoting the international flow of long-term capital. It is designed to raise the standard of living in member countries by assisting them to finance improvements in their productive equipment.

The constitution of the International Bank for Reconstruction and Development was drawn up by the United Nations Monetary and Financial Conference which met at Bretton Woods, New Hampshire, in July, 1944. By November 1, 1948, 47 countries had become members of the Bank. These include all the larger countries except the U.S.S.R., Spain, the Argentine, Germany and Japan.

Responsibility for the operation of the International Bank rests with a Board of Governors made up of one Governor appointed by each member country. The powers of the Board of Governors are for the most part delegated to the Executive Directors, of whom there are 14. Five countries — the United States, the United Kingdom, France, India, and China — each name one Executive Director; the other nine are elected by the other countries. To date there has always been one Canadian Executive Director. Under the direction of the Executive Directors the President and staff of the Bank conduct its business.

The capital of the Bank, which at November 1, 1948, was the equivalent of \$8,336 million, is made up of the subscriptions of members. Members' subscriptions to the Bank range from \$200,000 for Panama to \$3,175,000,000 for the United States. Canada's subscription is \$325,000,000. The subscription of each member is payable 2% in gold or United States dollars and 18% in national currency. The remaining 80% constitutes a surety fund against moneys borrowed or obligations guaranteed by the Bank.

The Bank has three ways of making long-term capital available to its members. First, it may (with the consent of the country whose currency is involved) make direct loans out of its own subscribed capital resources; second, it may guarantee loans raised through the private investment market; third, it may make loans out of funds raised through the issue of its own obligations. Loans are to be made or guaranteed only if the Bank is satisfied that they increase the productive capacity of the borrower and are within the capacity of the borrowing country to service. Only economic considerations are to be relevant in the Bank's decisions. Each loan must be guaranteed by the government or central bank of the country in which the project is located.

From the commencement of operations in June, 1946, to the end of 1947 the International Bank made loans totalling the equivalent of \$497 million. Except for a relatively small amount the currency lent was United States dollars. The loans were to France, the Netherlands, Denmark and Luxembourg and were for general reconstruction purposes. In 1948 a loan of 12 million United States dollars was made to four Netherlands shipping companies to finance the purchase of six merchant vessels for the Dutch mer-

chant marine. Arrangements are almost completed for a loan of 16 million United States dollars to two Chilean concerns, mainly for hydro-electric developments. A number of other loan applications are currently being investigated by the Bank.

Since the currency that is most in demand by borrowers is of course United States dollars the amount of United States dollars that the International Bank can command is an important measure of the help which it can give. The 20% paid-in portion of the United States subscription and the 2% portions of subscription of other countries paid in gold or dollars total about \$733 million. The only other large receipt of United States dollars by the Bank has been the proceeds of the sale for \$250 million of two issues of its own bonds in the United States market. The Bank has done a relatively small amount of borrowing outside the United States and it is currently working on means whereby it might increase such borrowing. In addition the Bank is known to be desirous of arranging with other member countries to consent to the use of their national currency subscriptions in lending operations. But, for the foreseeable future at any rate, it appears that the ability of the Bank to lend will depend very largely on its ability to persuade private and corporate United States investors that its bonds are good investments. The Bank has done a good deal to widen the market for its securities in the United States.

Compared with the figures of inter-governmental loans and grants in the post-war years, the volume of International Bank lending has been small. It is generally agreed that the role played by the Bank up to date has been less significant than was anticipated at the time of the Bretton Woods conference in 1944. At that time it was not possible to estimate in any concrete fashion the degree of post-war assistance which Europe would require, but to the extent that some general conjectures were made, it is probably true to say that both the magnitude and character of the aid that would be necessary were considerably underestimated. The European countries have needed help more for the purpose of financing large over-all deficits in their balance of international payments than for obtaining supplies for specific projects. It is reasonable to expect that over the next few years the operations of the Bank in the European field are bound to be overshadowed by those of the European Recovery Programme. That programme will presumably carry the main weight of extraordinary international financing. Nevertheless, the Bank may find opportunities to finance certain useful projects in Europe as well as in a number of non-European countries, particularly the less highly developed countries which need outside assistance in order to progress. The Bank may be able to do a good deal to help such countries over a long term of years, not only by making loans but also by providing, in one form or another, technical assistance and advice.



## 4. International Civil Aviation Organization

The International Civil Aviation Organization (ICAO) came into being in April, 1948, replacing the Provisional Organization which had been set up following the Chicago Conference on International Civil Aviation in 1944. The total number of member states is now 51. Canada is a member of the Permanent Council of 21 nations, which is the executive body of the Organization. The headquarters of the Organization are in Montreal.

The purpose of ICAO is to promote the development of international civil aviation; more specifically, to establish regulations for the international observance of the Five Freedoms of the air;<sup>1</sup> to create and maintain a system of international air transport wherein certain basic privileges of air transport are mutually exchanged by all states adhering to the Organization.

ICAO standards and recommended practices for greater safety and uniformity in international air operations have been prepared for airports, air routes, navigation aids, rules of the air and air traffic control, meteorological communication system, search and rescue, maps and charts, personnel licensing, operational procedures and airworthiness.

Two General Assemblies of the Organization have been held, the first in May, 1947, in Montreal, and the second in June, 1948, in Geneva. In addition, in November, 1947, a Special Conference was convened in Geneva to draw up a multilateral agreement for commercial rights in the air.

At this Conference, although Canada had always considered that a satisfactory multilateral agreement should be the objective of ICAO, the agreement proposed was not acceptable to the Canadian delegation since it did not guarantee to the smaller states equality of opportunity with the major air powers. The Canadian attitude was shared by the majority of nations in attendance, and as a result, no agreement was reached. However, further study of this problem is now being made in the Council, and it is expected that within a few years a second effort will be made to draft a multilateral agreement on commercial aviation rights.

A special Conference of member states operating over the North Atlantic was convened by ICAO in Geneva in 1948, when a Final Act was signed providing for the joint support of air navigation facilities in Iceland. Canada's initial contribution to the expenses of this plan will amount to approximately \$100,000, with annual assessments thereafter of approximately \$50,000.

In addition to these Assemblies and special Conferences, meetings of the various geographical regions and technical divisions sponsored by the Organization are continually held. Within these specialized fields the Organization has made its most substantial achievements.

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- <sup>1</sup>(1) The privilege of flying across the territory of another state without landing;  
(2) The privilege of landing in the territory of another state for non-traffic purposes;  
(3) The privilege of putting down passengers, mail and cargo taken on in the territory of the State whose nationality the aircraft possesses;  
(4) The privilege of taking on passengers, mail and cargo destined for the territory of the States whose nationality the aircraft possesses;  
(5) The privilege of taking on passengers, mail and cargo destined for the territory of any other contracting State and the privilege of putting down passengers, mail, and cargo coming from any such territory.



The 1947 General Assembly of ICAO unanimously approved a draft agreement with the United Nations to bring the two organizations more closely together, provided that the autonomy of ICAO was not impaired. At the 1948 Assembly of ICAO, the relations with the United Nations under the terms of the Agreement were reviewed, and approved. The Council was directed to continue to maintain close relations with the United Nations; in particular, attention was drawn to the need for co-operation with the United Nations in common personnel problems.

To Canada, the orderly progress of air navigation and air transport is of great importance, and Canada has made important contributions to the success of the Organization to date. The cost to Canada of membership in ICAO for the year 1948 was approximately \$130,000 (Can.).

## 5. International Labour Organization

The International Labour Organization, founded in 1919 under Article XIII of the Treaty of Versailles, was brought into official relationship with the United Nations in December of 1946. It is now one of the United Nations specialized agencies associated with the work and purposes of the Economic and Social Council, although retaining its autonomy.

There are at present 59 states which belong to the ILO. The Soviet Union is the only country of industrial importance which has not become a member. Canada has been a member and a supporter of the ILO since its establishment. During the war, the headquarters of the ILO was moved from Geneva to Montreal, but on September 1, 1948, the central office resumed its functions in Geneva and the Montreal office has become one of the branch ILO offices now maintained in Washington, London, Paris, Rome, New Delhi and Chungking.

The International Labour Organization is composed of three principal bodies:

- (a) The General Conference of representatives of member States (composed of Government, Employers' and Workers' delegates) known as the International Labour Conference, which meets normally once each year and is the legislative body of the Organization;
- (b) The International Labour Office (the permanent Secretariat);
- (c) The Governing Body (the executive council, composed of thirty-two members, meeting quarterly).

Canada has been represented at all sessions of the General Conference which have been held to date. The principal duty of the annual sessions of the Conference is to prepare and approve international conventions and recommendations for minimum standards governing working and labour conditions. International Labour Conferences have so far adopted 90 conventions or treaties, and 83 recommendations covering a very wide range of labour subjects. Of these, Canada has ratified 11 conventions and has accepted one recommendation. The ratification of conventions and the acceptance of the recommendations of International Labour Conferences has been difficult for many countries with federal constitutions such as Canada, in which competence in labour matters rests very largely with the constituent provinces or states.

Canada's contribution to the ILO for 1948 was \$176,434.39 (Can.)

As one of the world's eight states of chief industrial importance, Canada holds one of the eight non-elective seats on the Governing Body of the International Labour Office. The Governing Body is composed of thirty-two members, sixteen representing governments, eight representing employers and eight representing workers. The Governing Body is the executive of the ILO and exercises general control over its activities, preparing the budget and drafting the agenda for International Labour Conferences.

The ILO holds periodic regional conferences designed to deal with problems of special interest to particular groups of countries. Special conferences are also arranged to deal specifically with problems affecting some particular class of workers, such as seamen. Eight special industrial

tripartite committees have also been established to provide technical advice to the Governing Body on matters affecting these particular industries. Canada is represented on all eight of these which include committees on coal mining, metal trades, textiles, petroleum refining, and chemicals. Two other committees have been proposed to cover the timber and wood-working and the metal-mining industries.

In August, 1948, the Economic and Social Council considered the annual report of the International Labour Organization to the United Nations. Consideration of this report by the Economic and Social Council provided occasion for the representative of the U.S.S.R. to voice strong criticisms of the ILO and of labour conditions in the states of the western world. The report of the ILO, however, was accepted by the Council which expressed its appreciation both of the report and of ILO activities during the year.

As in previous years, Canadian representatives have taken an active part in the work of ILO throughout 1948. To the annual Conference, which was held in San Francisco in June, Canada sent a delegation including officials of the Departments of Labour and of External Affairs, together with representatives of Canadian employers and workers. Canadian representatives have also been present at meetings of the Governing Body and of all the special industrial committees. Throughout 1948 the ILO has been particularly concerned with the problems of safeguarding the freedom of association of workers and their right to organize, of employment service organization, of vocational guidance, of wages, of the night work of women and of young persons, and of migratory labour whether for temporary employment or for permanent settlement.



## 6. International Monetary Fund

In July, 1944, the United Nations Monetary and Financial Conference, held at Bretton Woods, U.S.A. and attended by delegates from 44 states including Canada, produced the Articles of Agreement of the International Monetary Fund and also the Articles of Agreement of the International Bank for Reconstruction and Development. By the end of 1945 the Articles of Agreement were accepted by the requisite number of countries, and the Fund was established in March, 1946, with its principal office in Washington, D.C.

As set up in March, 1946, the International Monetary Fund had 38 member countries with quotas aggregating 7,330.5 million U.S. dollars. As of September 30, 1948 there were 47 members whose quotas totalled 8,036 million U.S. dollars. Each member is required to subscribe to the Fund an amount equal to its quota, subscriptions being payable partly in gold and the balance in the national currency of the member. Canada's quota amounts to \$300 million, the sixth largest of the members' quotas. In accordance with the Articles of Agreement Canada has subscribed \$75 million in gold and \$225 million in Canada dollars.

In addition to determining subscriptions, the quotas also determine the extent to which a member can purchase foreign currency from the Fund in exchange for its own currency. Such purchases are not to exceed 25 per cent of the member's quota in any 12-month period and the Fund's holdings of a member's currency (resulting from its subscription and from its purchase of foreign currencies) are not to exceed 200 per cent of that member's quota. The Fund may, however, waive these conditions if it deems such waiver desirable. Exchange purchased from the Fund must be needed for making payments which are consistent with the provisions of the Agreement. Generally speaking, the Fund's resources are to be used for exchange stabilization purposes, by helping countries to overcome temporary balance of payments deficits on current account. The Fund's resources are not to be used for relief or reconstruction or to finance large-scale capital transfers.

All powers of the Fund are vested in the Board of Governors, consisting of one Governor appointed by each member country. Voting power is distributed among the Governors more or less in accordance with the relative size of the quotas of the members which they represent.

The general operations of the Fund are the responsibility of the Executive Directors who are in continuous session and to whom the Board of Governors delegates all but certain specified powers. Of the fourteen Executive Directors, five are appointed by the five members having the largest quotas (the United States, the United Kingdom, China, France and India) and the rest are elected by the other members. While Canada is not entitled to appoint an Executive Director, a Canadian has twice been elected to this position and thus has been a member of the Executive Board of the Fund since it began operations in May, 1946.

The International Monetary Fund's activities have been diverse. They include the establishment of par values; considerations of changes in par values; exchange transactions with member countries; consultation with member countries on multiple currency and other exchange practices; collection of data in the international monetary field; and the publication

of such data in forms useful to member countries and others. Much, if not most, of the work of the Fund is necessarily of a confidential nature, and much of its achievement therefore consists of helping the international economic community to function more smoothly and efficiently, without however, attracting public attention to its activities.

From March 1, 1947, to September 30, 1948, the Fund has sold foreign exchange amounting to \$640 million. Twelve member countries have, in exchange for their own currencies, purchased 622.4 million U.S. dollars, 500 million Belgian francs and 1.5 million pounds sterling. The volume of exchange transactions of the Fund may not appear large when compared with the world's needs for foreign exchange, particularly for U.S. dollars. Nevertheless, these transactions have been of considerable assistance to the member countries involved, especially as they were concentrated in a period when such assistance was most urgently needed. At the same time as it has given this very real assistance, the Fund has avoided the dissipation of its resources in the recovery period. The Fund's efforts have been continuously directed towards the promotion of exchange stability and the maintenance of orderly exchange arrangements among members.

The Fund has also been able to afford technical assistance to many of its members faced with present or potential balance of payments problems. In addition to regular consultation, technical missions have been sent to a number of countries at the invitation of the members concerned. The Fund is becoming an increasingly important source of information on international financial and economic matters, and is making much of this information available to member countries. Canada, which has a vital interest in the expansion of world trade, has always given strong support to the International Monetary Fund.



## 7. International Refugee Organization

On the conclusion of hostilities in Europe more than seven million persons, who had been uprooted during the war from their homes and from their countries, became one of the primary responsibilities of the United Nations, as an immediate consequence of the allied victory. With the assistance of UNRRA and the Inter-governmental Committee on Refugees, about six million of these displaced persons returned to their places of origin during the course of the first year following the war. By the summer of 1946, however, there were still more than a million persons who had been brought to Germany by the Third Reich, or who had fled the advance of the U.S.S.R. armies and who, at the end of the war, had remained largely in Germany and Austria. There were smaller numbers of refugees elsewhere in the world, some in the Near East and some in Eastern Asia; but the vast majority of the homeless and of those without protection were in Germany and in Austria.

The United Nations recognized as one of its responsibilities the re-establishment of these displaced persons; as a consequence, the International Refugee Organization was created late in 1946 and began its operations on July 1, 1947, when it took over the responsibilities for refugees formerly carried out by the Displaced Persons Branch of the United Nations Relief and Rehabilitation Administration and by the Inter-governmental Committee on Refugees.

The International Refugee Organization operated as a preparatory commission until August of 1948; its General Council met for the first time as the executive of a specialized agency of the United Nations on September 13, 1948. The formal agreement between the United Nations and the International Refugee Organization was approved at the third session of the General Assembly in November, 1948. The IRO is now, therefore, operating as a fully constituted agency of the United Nations.

When the International Refugee Organization began its operations on July 1, 1947, the total number of refugees receiving care and maintenance in IRO camps was about 700,000. In addition there was a number (estimated at from 400,000 to 500,000) of displaced persons entitled to the protection and help of IRO, living outside the IRO camps, working and supporting themselves as best they could in the shattered German and Austrian economies.

In the first sixteen months of its activities (July 1, 1947, to October 30, 1948), IRO was able to re-establish 334,743 persons, of whom rather more than four-fifths were resettled in Western Europe and abroad, with about one-fifth returning to their original homes. Practically all the refugees who are now under the care of IRO are political refugees who are unwilling to return to their countries of origin, and it is apparent that the principal work of IRO must lie henceforth in the re-establishment of these refugees abroad.

It has been the policy of IRO, a policy approved by the General Assembly of the United Nations, that political refugees should not be forced to return to their countries against their will, and that they are entitled to IRO care unless it can be clearly established that they have been war criminals or traitors.



As the majority of displaced persons now in the IRO camps or under IRO legal protection in Central Europe are Poles, Yugoslavs and Baltic peoples whose countries have been absorbed into the Soviet Union, the U.S.S.R. and the Slavic states generally have given no support whatsoever to the work of IRO. Indeed they have claimed that the Organization should be dissolved, and that these displaced persons should be compelled to return to their countries of origin. This view, however, has not been shared by the majority of the members of the United Nations, and the IRO is to continue its policy of establishing either in Western Europe or overseas those displaced persons who are unwilling or unable to return to their former homes. It is very unlikely that IRO will receive any help whatsoever from the Eastern European states.

Until August of 1948 the work of the International Refugee Organization was severely handicapped by the necessity of having to work as a preparatory commission which was not intended to serve as an executive body for an indefinite period. The Organization also was under serious disadvantages because of lack of funds, since it had to be financed by voluntary contributions from those member states which were willing to make advance contributions. The shipping problem was also very acute until the early summer of 1948, and during the earlier months of the Organization's operations, resettlement opportunities abroad were very few. As a consequence of these various factors, the Organization has had to devote a higher ratio of its expenditures to maintaining refugees in camps than to resettling them abroad. Many of these difficulties, however, have now been resolved, and in the coming year the Organization will be able to spend more of its resources on resettlement and less on maintenance within the camps in Germany and Austria.

The annual budget of the Organization for 1948 was approximately \$150,000,000 of which Canada's contribution was about \$5,415,000. The budget for the next year is likely to remain at the same figure, with a similar contribution for Canada.

The United Nations has given IRO a period of three years to fulfil its responsibilities, (that is, until June 30, 1950), and IRO is now well into its second year of operations. During this second fiscal year (July 1, 1948, to July 1, 1949), the Organization is planning to resettle 380,000 refugees; and by June 30, 1950, to conclude its responsibilities by re-establishing approximately 500,000 more.

It is extremely unlikely, however, that all displaced persons now under the mandate of IRO, whether in displaced persons camps or working as best they can in Germany and Austria, will be acceptable to countries prepared to receive a certain number of these emigrants. When all acceptable displaced persons have been approved for emigration to new countries, there will still remain about 180,000 who will be ineligible on various grounds for migration abroad. This problem will have to be considered shortly, and it seems probable that this final group of displaced persons (consisting of the aged, the orphans, widows with young children, the physically and mentally handicapped), will have to be established in Germany and Austria and be supported by the German and Austrian economies as part of the reparation settlement.

The financial problem of IRO, though still unresolved, is much less serious than one year ago; and the IRO is now receiving larger and more regular contributions since it has become a recognized specialized agency of

the United Nations. In spite, too, of the continued shortage of ocean shipping, IRO has been able to assemble its own fleet of thirteen ships and to charter considerable space on commercial ocean lines. An air transport service has been established to Venezuela, and the extension of this air service to other countries is now being considered. The success of displaced persons in establishing themselves in new countries and in making a contribution to the economic life of the countries of their adoption has created a more favourable attitude on the part of the receiving countries toward increasing the numbers of displaced persons authorized for admittance.

Canada has contributed generously toward the ultimate solution of the refugee problem both by providing financial support and by accepting very large numbers of refugees and displaced persons. The Canadian Government has authorized for entry into Canada 40,000 refugees, together with an unspecified number of displaced persons who are near relatives of Canadian citizens. So far, some 44,000 applications for the admission of near relatives have been approved in Canada, although not all of these will be found eligible when examined by Canadian immigration and medical authorities in Europe. Altogether, including displaced persons admitted to Canada for employment and settlement together with their relatives, and including also the near relatives of Canadian citizens who are eligible for admission into Canada, the Canadian Government has undertaken to accept more than 100,000 displaced persons, of whom 51,000 had already arrived in Canada by December 1, 1948.

Canada's readiness to accept refugees and displaced persons compares very favourably with that of other countries of the world. At present the United States has undertaken to accept 200,000, although it is understood that this figure may be doubled during the course of the next year. The following figures are available showing the numbers of displaced persons received by the principal admitting countries by July 1, 1948, (at which time Canada had received 25,244); Great Britain 69,788; Belgium 19,147; United States 16,836; France 16,216; Argentina 12,163; Palestine 6,741; Venezuela 5,666; Australia 5,632; Brazil 3,491; The Netherlands 3,048; Paraguay 2,892; Sweden 1,943; Chile 1,473; Peru 1,282.

In the various United Nations meetings which have dealt with IRO matters since December, 1946, Canada has been a strong supporter of this Organization. As one of the larger contributors to the IRO budget and as one of the most important receiving countries, Canada has been especially concerned with IRO policies and programmes. At the General Council of IRO which met in September, 1948, for the first time, Canada was elected as one of the nine states of the Executive Committee, and the Canadian delegate was elected Chairman. It can now be expected that the IRO, constituted as a specialized agency of the United Nations, will make more rapid progress toward the permanent resettlement of refugees made homeless by the last war. The question of willingness to receive refugees still remains the major problem to be solved if the responsibilities of IRO in re-establishing displaced persons are to be completed before its mandate expires on June 30, 1950.



## 8. International Telecommunications Union

The International Telecommunications Union came into existence in 1932 when the International Telecommunications Convention was signed at Madrid. This Convention was revised in 1947 and a new Convention will come into effect on January 1, 1949.

The aims of the International Telecommunications Union are to organize and regulate international exchanges of telecommunications by telegraph, telephone and radio. At the present time, emphasis is being placed on an attempt to regulate more effectively the frequency bands amongst the nations of the world.

The International Telecommunications Union held three important conferences in Atlantic City during the period May to October, 1947: a Plenipotentiary Conference to revise the 1932 Madrid Convention of the International Telecommunications Union; a Radio Administrative Conference to revise the Cairo Radio Regulations of 1938 (annexed to the International Telecommunication Convention); and a High Frequency Broadcasting Conference to make a preliminary survey of the international regulations needed in the field of high frequency broadcasting. At the conclusion of these Conferences, the head of the Canadian delegation signed the new Convention and annexed Radiocommunication Regulations, subject to ratification by the Canadian Government. The Canadian Instrument of Ratification was forwarded to the Swiss Government on November 1, 1948.

Among the clauses of the Madrid Convention which are substantially altered in the Atlantic City Convention, are those governing membership, conference voting rights, finances, and obligations in respect of the annexed Radio, Telegraph and Telephone Regulations. An Administrative Council, consisting of eighteen member governments elected by the Plenipotentiary Conference, has been added to the Union's organization to provide for the making of policy decisions between Plenipotentiary Conferences. Canada was elected to this Council. The Plenipotentiary Conference also approved an agreement, drafted by negotiation with a Committee of the Economic and Social Council, to make the International Telecommunications Union a specialized agency of the United Nations in the field of telecommunications. This agreement was approved by the second regular session of the General Assembly in 1947. Canada's contribution to this agency is approximately \$30,000 yearly.

The Radio Administrative Conference established an International Frequency Registration Board which will maintain a world frequency register but which has no power either to assign frequencies or to deny them to any member of the Union. This Conference also set up a permanent international radio consultative committee (C.C.I.R.) and drafted a Frequency Allocation Table which allots all available frequencies to the various services, such as broadcasting, marine navigation and air navigation. However, the Conference was unable to complete the further task of allocating these frequencies among member countries of the Union by drawing up an International Frequency List. This will be the responsibility of a Provisional Frequency Board, established by the Radio Conference, which meets in Geneva.

A second High Frequency Broadcasting Conference opened its meetings in Mexico City in October, 1948, to complete the work left unfinished by the Atlantic City High Frequency Broadcasting Conference. This Conference, which seeks to allot short-wave frequencies amongst the member states of the ITU, should complete its work by February, 1949.



## 9. International Trade Organization

The year 1948 brought substantial progress toward the general lowering of long-standing barriers to international trade, and toward the establishment of a code of law for the conduct of international economic relations. When the Charter for the International Trade Organization comes into force, (a Charter signed in Havana in March 1948 by fifty-four nations representing ninety per cent of world trade) it will become an international agreement on trade and employment of a kind which has never before existed. A General Agreement on Tariffs and Trade was also concluded at Geneva in October, 1947. This General Agreement was applied provisionally by nine countries, including Canada, at the beginning of the year<sup>1</sup>. It is now being applied provisionally by twenty-two of the twenty-three original signatories of the Agreement who together represent over seventy per cent of the world's total international trade.

To Canada, as one of the leading trading nations of the world, the unimpeded flow of international commerce is of vital importance. Canada has contributed its full share, commensurate with its economic importance, in negotiating the agreements which seek to establish conditions necessary to a prosperous world-trade unhampered by unjust and artificial restrictions.

The Havana Conference, officially known as the United Nations Conference on Trade and Employment, was convened on November 21, 1947, and concluded its work on March 24, 1948. It took as its basic document a draft charter prepared by a Preparatory Committee of seventeen countries appointed by the United Nations. The U.S.S.R., although appointed to the Committee, did not attend any of the meetings leading to the Havana Charter and the General Agreement. It was attended by fifty-six countries (nine of which were not members of the United Nations) representing ninety per cent of the total trade of the world. Fifty-four countries signed the Final Act of the Conference thus establishing the text of the Havana Charter.

The Charter now awaits ratification by the legislatures of the various signatory countries and it will come into force sixty days after the twentieth government has deposited its instrument of ratification. It is now expected that the International Trade Organization will be set up towards the end of 1949. A number of governments have already placed before their national legislatures the measures necessary for the ratification of both the Havana Charter and the General Agreement<sup>2</sup>.

The text of the Havana Charter has been available for some time, and some publicity has already been given to the purpose and scope of the Charter, the nature of the Organization for which it provides, and its significance to Canada. The Charter is a highly complex technical document of some 30,000 words. It contains 106 articles and 16 annexes divided into nine chapters.

The Havana Charter, and the Organization which it is hoped will be established for its administration, will be a new experiment in international

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<sup>1</sup> Tabled in the House of Commons, December 8, 1947.

<sup>2</sup> See minutes of Proceedings and Evidence of the Standing Committee on Banking and Commerce of the House of Commons and of the Standing Committee on Canadian Trade Relations of the Senate, Session 1947-48.

economic relations. For the first time in history an organization on a world-wide scale will be set up especially to solve the problems of international rivalry in trade and to promote general prosperity and welfare for all nations through co-operation.

The ITO Charter is not a perfect document. Many of its provisions are the result of compromise between countries of varying economic policy, size, degree of development, interests, and aspirations. Being a compromise, it does not give full satisfaction to all the governments concerned with its provisions. At Havana, however, it was believed that the compromise reached was the best possible, in view of the difficulties of the task and of the fact that the Charter deals with international economic relations hitherto not covered by international agreement.

Further the Charter reflects the difficult times in which it was formulated. The economic dislocation which resulted from the war; the widespread economic mistrust; the reluctance to permit encroachment on economic sovereignty: all these factors have affected the provisions of the Charter and the nature of the organization which it establishes.

The success of the International Trade Organization will depend on the goodwill and on the co-operation of its members, the efficient functioning of its Conference and of its Executive Board, rather than on the actual legal provisions of the Charter. However, if unfair advantage is taken of its escape clauses and the exceptions which had to be included in the Charter to obtain wide acceptance of its provisions, the Organization cannot be expected to succeed.

When the Canadian Parliament ratifies the Charter and when the ITO is set up, Canada, as a result of its membership on the Executive Board, can play a leading role in the application of the provisions of the Charter and in the functioning of the Organization.

Although it was not expected at Havana that the Charter would enter into force for eighteen months, it was evident that a good deal of preparatory work would have to be done so that the Organization would be set up as expeditiously as possible, and once established would be prepared immediately to assume its functions and obligations, many of which would be urgent.

The preparatory work and the interim functions of the ITO were assigned to the Executive Committee of the Interim Commission which will make recommendations to the first session of the Conference of the Organization when established. This Committee of eighteen countries was elected at Havana in accordance with the Charter provisions for the election of the Executive Board of the ITO. Canada as a "country of chief economic importance" has a seat on the Committee, of which Mr. L. D. Wilgress is Chairman.

The first session of the Executive Committee was held immediately following the Havana Conference. Work at the first session was limited to establishing a small Secretariat to prepare reports for consideration at the second session.

The second meeting of the Executive Committee took place in Geneva from August 25 to September 15, 1948, and many proposals dealing with organizational matters, submitted by the Secretariat were considered and approved. For example, draft agreements on the relationship of ITO



with the United Nations and with other specialized agencies (such as the International Monetary Fund, the Food and Agriculture Organization, and the International Labour Organization) were prepared in consultation with those Organizations. Thought was also given to the incorporation of the International Customs Tariff Bureau which has been in operation since 1890, with headquarters in Brussels.

Other questions such as finances and the choice of a permanent site were considered to facilitate the efficient and prompt establishment of what will be a complex Organization. The third, and probably the last meeting of the Executive Committee, will be held shortly after the twentieth instrument of acceptance of the Charter has been deposited.

The ITO Charter now awaits the necessary ratification to come into effect. The General Agreement, on the other hand, is an operative Agreement which is now being applied. The governments represented on the ITO Preparatory Committee adopted a resolution at the first session in London to promote the major objectives of the future ITO by taking action to reduce tariffs and other trade barriers to their mutual advantage. Negotiations were therefore conducted at Geneva, beginning in May, 1947, with the result that over one hundred bilateral negotiations were incorporated into twenty Tariff Schedules (one for each negotiating country or group of countries) which were annexed to the General Agreement.

The Tariff and other concessions appearing in these twenty Schedules number over 45,000. They are extended to all the Contracting Parties, that is, to the countries applying the Agreement provisionally. Thus Canada enjoys the benefit of all concessions appearing in the Schedules whether or not the concessions were negotiated with Canada.

Clauses were incorporated into the text of the General Agreement to ensure that the tariff concessions contained in the Schedules would not be nullified or impaired by the use of other protective measures. Most of these general clauses were taken from the Geneva draft Charter, and provision was made whereby, subject to certain conditions, those clauses would be replaced by the corresponding provisions of the Havana Charter when the latter enters into force.

The administrative clauses of the General Agreement provide that the representatives of the contracting parties should meet from time to time to give effect to those provisions of the Agreement which involve joint action and, generally, to further the objectives of the Agreement.

During 1948, the first year of operation of the General Agreement, two meetings of the contracting parties were held under the chairmanship of Mr. L. D. Wilgress. There were no tariff negotiations at either session.

The first session was held at Havana toward the end of the Havana Conference; at that time there were only nine contracting parties. The main task of this session was to consider the relation between the General Agreement and the Havana Charter in the light of the provisions of the latter which had by that time been established. This relation was considered in order to implement certain important elements of the compromise which had made final agreement possible on the text of the Havana Charter.

The second session of the contracting parties was held during August and September, 1948. There were by this time twenty-two contracting parties to the Agreement. The most important decision of the contracting parties at this session was to invite other countries to enter into tariff



negotiations with a view to their accession to the Agreement. The following thirteen countries have accepted the invitation and will enter into tariff negotiations among themselves and with the existing contracting parties on April 11, 1949: Colombia, Denmark, Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Liberia, Nicaragua, Peru, Sweden, Uruguay.

Other decisions were taken at the second session, of which the principal can be summarized as follows:

(1) Provision was made for the replacement of three articles of the Agreement (Geneva draft Charter text) by the corresponding provisions of the Havana Charter.

(2) Modifications were made in the text of the Agreement to eliminate temporary provisions and to clarify certain points, the interpretation of which may give rise to difficulties.

(3) The request of the Government of Chile for an extension of time to February 17, 1949, to decide upon adherence to the Agreement was granted.

(4) The request of the Governments of Brazil, Ceylon, Cuba and Pakistan to renegotiate, subject to certain conditions and rules, on specified tariff items was agreed to.

(5) Agreement was reached by a substantial number of countries to extend most-favoured-nation treatment to goods produced or manufactured in Western Germany. This undertaking is incorporated in a separate document not part of the General Agreement. Nine countries including the United Kingdom, the United States, France and Canada, had signed the agreement by the end of September, 1948.

(6) Procedures were established to ensure the application of the provisions of the Agreement, and to provide for consultation between the Contracting Parties during periods between sessions.

The next session is scheduled for April 8, 1949. It is probable that before the end of that session there will be a total of thirty-six Contracting Parties to the General Agreement. The Polish delegation placed on the agenda of the third session of the General Assembly an item concerning discrimination practiced by certain states in international trade. This resolution was considered in the Second Committee, where it precipitated long propaganda debate between the Soviet bloc and the countries involved in the European Recovery Programme. Resolutions were also submitted by Poland and China and various amendments to these were proposed. The Second Committee finally adopted a resolution to the effect that no action should be taken on the various proposals, but that a general account of the debate which took place in the Second Committee, should be transmitted to the third session of the General Assembly. This report of the Second Committee was noted by the General Assembly in plenary session.

## 10. United Nations Educational, Scientific and Cultural Organization

The principle objective of UNESCO is to contribute to international peace and security by promoting international collaboration in education, science and culture. The Organization was established at a meeting of forty-one member states of the United Nations held for this purpose in London in November, 1945. The first session of the General Conference was held in Paris in November and December, 1946. Since its secretariat and headquarters were not organized until the early summer of 1947, UNESCO only then began work on the programme formulated by the Paris Conference.

The Canadian view has been that UNESCO should place emphasis in its programme on the educational, scientific and cultural reconstruction of war-devastated countries and on the development of education, science and culture in under-developed areas. In its report to UNESCO for 1948, submitted in accordance with the UNESCO Constitution, the Canadian Government stated that it considered that the present programme contained enough projects of a continuing nature to keep the Organization fully occupied for the next few years. At the third session of the General Conference, held in Beirut from November 17 to December 11, 1948, only a limited number of new projects was studied. At this session Dr. Jaime Torres-Bodet (Mexico) was elected Director-General of the Organization to succeed Dr. Julian Huxley.

During 1948, UNESCO has, in the Canadian view, dissipated its energies and resources on too many projects. Many of these were initiated at the Paris Conference of 1946, and new projects were added at the Mexico Conference of 1947. However, UNESCO during 1948 did achieve certain successes which are mentioned here.

In reconstruction, the Organization has cooperated with the Temporary International Committee for Educational Reconstruction (TICER) and National Committees of non-governmental organizations in the distribution of \$50,000,000 for educational relief to war-devastated areas. The Canadian Council for Reconstruction through UNESCO (CCRU) was one of the co-operating national organizations. UNESCO also devoted \$395,000 to the purchase of materials such as microfilm projectors, text books, etc. for countries of Europe and Asia.

In education, the Organization concerned itself also with the administration of some 200 fellowships including the 64 "Canadian-UNESCO" fellowships offered to fifteen countries by the CCRU. In September a school for public librarians was held in the United Kingdom attended by five librarians from Canada. The Organization held three teachers' seminars in the United Kingdom, United States and Czechoslovakia during July-August 1948. Educators from Canada attended all three seminars. The Organization was also responsible for the creation of the International Theatre Institute.

In natural sciences, UNESCO made grants-in-aid of \$232,254 to the International Council of Scientific Unions (ISU) and its ten federated unions.

The UNESCO Constitution states that "each member state shall make such arrangements as suit its particular condition for the purpose of associating its principle bodies interested in educational, scientific and cultural matters with the work of the Organization, preferably by the formation of a National Commission broadly representative of the Government and such bodies." The Canadian Government has not yet established a National Commission. However, various Canadian non-governmental educational, scientific and cultural bodies are co-operating with the Canadian Government in carrying out the programme of UNESCO in this country.

The Canadian financial contribution to UNESCO in 1948 was \$285,372 (U.S.) to the general budget, and \$35,400 (U.S.) to the reserve fund.



## 11. Universal Postal Union

The twelfth Congress of the Universal Postal Union convened in Paris on May 6, 1947. This was the first Congress to be held since the outbreak of World War II, the eleventh Congress being held in Buenos Aires in 1939. The Congress ordinarily is required to meet every five years to review the International Postal Convention.

The Universal Postal Union was established in 1874 and Canada has been a member since 1878. Canada's yearly contribution to this agency is approximately \$5,000.

The main business of the twelfth Congress was technical in character, relating to postage rates, financial and accounting arrangements, and amendments to existing regulations in connection with the handling and transportation of international correspondence, whether by land, sea or air.

The twelfth Congress concurred in an Agreement between the United Nations and the Universal Postal Union, which was later approved by the United Nations General Assembly at its second regular session in 1947. By virtue of this Agreement the Universal Postal Union became a specialized agency of the United Nations.

At its seventh session held in July and August, 1948, the Economic and Social Council considered in detail the reports of the specialized agencies, including that of the Universal Postal Union. The main questions which arose in the discussions in the Economic and Social Council concerned the relations of the Universal Postal Union with Spain, and its exclusion of the Baltic Soviet Republics from membership. The representative of the U.S.S.R. recommended that the Universal Postal Union be asked to review the whole question of membership, but the Economic and Social Council rejected this proposal, and decided to request the Secretary General to transmit to the Universal Postal Union the records of the discussions which took place in the Economic and Social Council on this report.

## 12. World Health Organization

As a result of the International Health Conference which met in June and July, 1946, a Constitution establishing a World Health Organization (WHO) was signed by fifty-one United Nations members, and by ten states not members of the United Nations. An interim arrangement establishing an Interim Commission of the World Health Organization was also signed by the sixty-one states. The WHO constitution was unanimously adopted by the General Assembly. It came into effect on April 7, 1948.

Plans which had been made earlier by the Interim Commission for convening the first World Health Assembly were confirmed, and the WHO met for the first time as a fully constituted specialized agency of the United Nations on June 24, 1948. The Government of the United States ratified the WHO Constitution just in time to permit a United States delegation to attend. Accordingly, it was possible to arrange a budget for the remainder of 1948 and for the year 1949 on the basis of the maximum contribution of the United States Government permitted by Congress.

Already in the autumn of 1947, the WHO had made an effective contribution to world public health through its efficient and prompt action in helping to check the outbreak of cholera in Egypt. For this purpose the scientific resources of the world were rapidly mobilized and what might have been a wide-spread epidemic was confined within narrow limits and brought under control.

At the first World Health Assembly, which was held June 24 to July 24, 1948, it was decided that priority should be given to six programmes in the field of public health — malaria, tuberculosis, venereal diseases, maternal and child health, nutrition and environmental hygiene. A special division within the WHO secretariat has been created for each of these fields and expert committees have been appointed. Special research studies will be undertaken and advisory assistance will be given to national health administrations. Arrangements are in hand to provide individual experts and teams of medical workers for such countries as may request them.

During 1949, WHO is to establish an influenza center, and will conduct an international survey to consider ways in which the production of insulin and penicillin may be stimulated. The existing fellowship programme which provides scholarships for medical students in backward or in war-devastated areas to study at the world's great medical centers is to be increased.

The Assembly agreed that WHO headquarters will remain in Geneva. It was agreed, too, that regional offices of the WHO should be established in the Eastern Mediterranean, Western Pacific, Southeast Asia, Africa and Europe. A sixth area, including North, Central and South America, will be served by the Pan American Sanitary Bureau which is to be integrated into WHO as rapidly as possible.

The work of the WHO in the standardization of diagnostic and other medical terms will be continued. The WHO is presently to publish a revised list of diseases and of causes of death. Studies and recommendations which are now going on for the standardization of drugs and of medical and biological products generally are to be continued.



The WHO is probably the least contentious of all specialized agencies. Co-operation from the Eastern countries of Europe and an almost complete absence of debates revealing political bias have marked all the sessions of the Interim Commission as well as the discussions which took place at the first World Health Assembly. There are certain matters of policy, however, which are yet to be determined, although it may be anticipated that these matters are likely to be decided on objective rather than on political grounds. The main points to be determined are as follows:

(a) There is not yet full agreement on the extent to which WHO should be an operative rather than a purely consultative body. The Canadian delegations to WHO meetings have adopted the view that WHO should provide consultants and experts capable of initiating programmes of public health in backward countries, but that WHO itself should not undertake the establishment or the maintenance of public health programmes in individual States. At the first General Assembly of WHO, the Canadian delegation was successful in securing the adoption of the general principle that states receiving help from WHO should pay for it if they have the means. It is in general the Canadian view that WHO should undertake operational activities only in the event of emergencies such as the cholera outbreak in Egypt.

(b) The Canadian delegation was able to give only reluctant support to the establishment of regional agencies of WHO. It has been the Canadian view that if regional agencies must be established, their organization should be modest and their responsibilities clearly defined. The Canadian delegation has argued constantly that the WHO should not dissipate its very meagre resources by creating an elaborate fractional structure. Only a modest provision has been made in the 1949 budget for the regional agencies. It may be expected, however, that the activities of the Pan-American Sanitary Bureau, presently to be integrated with WHO and to become the nucleus of the Western Region of WHO, will be maintained and extended.

For the year 1948, the WHO operated on a budget of \$5,000,000, to which the Canadian contribution was approximately \$150,000. Dr. Brock Chisholm of Canada, who for two years served as Executive Secretary of the Interim Commission of WHO, was elected Director-General of the permanent body in June of 1948.



## **V. Trusteeship.**



## V. TRUSTEESHIP

### 1. Non-Self-Governing Territories<sup>1</sup>

In 1947, prior to the second session, a committee of the General Assembly examined the question of how the United Nations should deal with information received in accordance with Article 73(e) of the Charter from Members administering non-self-governing territories other than trust territories. As a result of the committee's recommendations the Assembly adopted a standard form for the guidance of administering powers in drawing up their reports and initiated certain procedures now in effect.

Information transmitted to the Secretary General is now arranged by the reporting governments in the standard form, to facilitate summary, comparison and analysis of data on economic, social and educational matters. Political information is not included unless the administering power so desires. The information received by the Secretary General is summarized and analysed in the Trusteeship Section of the Secretariat. Two sets of studies are prepared. The first summarizes information concerning all the territories administered by a single power; the second analyses information in specific fields of interest drawn from all the reports.

On September 2, 1948, a special committee appointed by the Fourth (Trusteeship) Committee of the Assembly met to examine the Secretary-General's routine analyses of information on fifty-nine non-self-governing territories received in 1947 and 1948. The special committee was composed of the eight members which transmit information under Article 73(e) of the Charter (Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the United Kingdom and the United States) and eight non-colonial powers elected by the Trusteeship Committee on November 6, 1947 (China, Colombia, Cuba, Egypt, India, Nicaragua, Sweden and the U.S.S.R.). The special committee was asked to submit reports on the information it had examined, making any procedural recommendations considered appropriate. Substantive recommendations were not to be made about individual territories but should relate to functional fields generally—that is to say: recommendations on health, education, agriculture, industry and social policy for wide geographical areas having common problems.

The special committee made four recommendations to the Trusteeship Committee, all of which the latter approved. These concerned:

- (a) Reports, summaries and analyses—Administering powers should be invited to include information in the optional category on geography, history, peoples and the observance of human rights, even though they might not wish to include information on purely political questions. The Secretariat should issue full summaries and analyses once every three years, with supplemental reports in intervening

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<sup>1</sup> For a summary of the work of the United Nations concerning non-self-governing territories other than trust territories see *Report on the United Nations Conference on International Organization*, Department of External Affairs, Conference Series 1945, No. 2, pp. 53-54; *The United Nations, 1946*, Department of External Affairs, Conference Series 1946, No. 3, pp. 114-117; and *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, pp. 124-127.



years. In compiling its analyses it might use all relevant and comparable official statistical information communicated to the United Nations and specialized agencies. The summaries and analyses should be distributed to Members by July 15 or 31, and in any event not later than August 15.

- (b) Special committee—A special committee should be appointed again for 1949, without deciding the issue of whether the practice was to continue. It would meet at least three weeks before the next regular session of the Assembly and fill the same functions as the 1948 committee.
- (c) Specialized agencies—Aid already given by three organizations was mentioned. All appropriate specialized agencies were invited to comment on analyses of information prepared by the Secretary-General.
- (d) Cooperation with the Economic and Social Council—Fuller use might be made of the technical assistance which this body was in a position to provide.

Poland failed in an attempt to have the special committee transformed into a permanent body, and a Brazilian suggestion that the committee should be appointed for three years was also rejected. Members of the special committee elected for 1949 were the same as for 1948, except that Brazil, the Dominican Republic and Venezuela replaced Colombia, Cuba and Nicaragua.

The Trusteeship Committee rejected the following proposals of the U.S.S.R.: (a) that Members should be required to submit information on the development of organs of self-government in non-self-governing territories, (b) that United Nations representatives should visit non-self-governing territories at regular intervals, (c) that the special committee should be allowed to consider communications from local populations, and (d) that the Secretariat should be allowed to use data received from private groups or individuals as well as from official sources in preparing its summaries.

Canada voted in favour of the four recommendations of the special committee and against the amendments proposed by the U.S.S.R., Poland and Brazil.

The Trusteeship Committee of the General Assembly also adopted a draft resolution proposed by the Indian delegation providing that members who ceased to supply information under Article 73(e) of the Charter should apprise the Secretary General of the changes in the constitutional position or status of the territory in question which had led the administering power to stop submitting annual reports. The United Kingdom, though agreeing that the United Nations should be informed in general terms of such changes, thought it unnecessary to insist on having details of acts, orders or constitutions ushering in a new regime, or on receiving information on the structure and powers of the territorial government and its relation to the metropolitan power, for all of which the Indian resolution provided. The resolution was adopted without change by the Trusteeship Committee. Canada, Australia, New Zealand, South Africa, the United Kingdom and twelve others abstained from voting. The General Assembly confirmed all these decisions taken by its Trusteeship Committee.

## 2. South West Africa<sup>1</sup>

During the first World War the German colony of South West Africa was occupied by forces of the neighbouring Union of South Africa. At the close of the war the Union Government was authorized by the Allied and Associated Powers to continue to administer the territory under a League of Nations mandate of the Class C category which, like those established in the Pacific, permitted the mandatory power to administer the former German colony as an integral portion of its own territory, subject to certain safeguards designed to protect the interests of the indigenous population.

At the San Francisco conference in 1945 the South African delegation indicated that its Government did not intend to transfer South West Africa to the United Nations trusteeship system but hoped instead to incorporate the territory into the Union. In the following year a series of consultations was held by the South African Government with tribal groups, the majority of whose leaders said they were contented with the South African administration of the preceding quarter-century and desired its continuation in preference to undefined changes which might be imposed on them by alien states of whom the tribesmen knew nothing. On the basis of this inquiry the South African delegation reported to the General Assembly in the autumn of 1946 that roughly 70% of the non-European population of South West Africa favoured incorporation, 11% opposed it, while 19% could not be consulted. The Europeans, who form 10.8% of the population, are solidly in favour of incorporation and have repeatedly demanded it.

The General Assembly, expressing doubt as to whether the native population understood the issues on which the chiefs had offered their opinions, decided that it was unable to accede to the incorporation of South West Africa in the Union. It recommended instead that the mandated territory should be placed under the trusteeship system, and invited the Government of South Africa to propose a trusteeship agreement for the approval of the General Assembly.

In April, 1947, the South African parliament decided that instead of incorporating South West Africa into the Union as a new province, it would arrange to have representatives of the territory sit in the Union parliament "as an integral portion of that body". Meanwhile, although not under obligation to do so, it would send annual reports on the administration of South West Africa to the Secretary General of the United Nations, because of a previous declaration that the Union would continue to administer the territory "in the spirit of the mandate". The position was taken that South West Africa was neither legally nor morally bound to submit a trusteeship agreement for South West Africa.

In the autumn of 1947 the General Assembly took note of South Africa's decision not to proceed with the incorporation of South West Africa, but firmly maintained its recommendation that South West Africa should be placed under trusteeship and expressed the hope that South Africa would submit a trusteeship agreement for the territory in time for its consideration by the General Assembly at the third session in 1948.

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<sup>1</sup> See also *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series, 1947, No. 1, pp. 121-123.



The question of the future status of South West Africa came before the third session of the General Assembly as part of the report of the Trusteeship Council. A resolution was adopted by the General Assembly on November 26 which noted with regret that South Africa had not carried out the Assembly's two previous recommendations that it place South West Africa under the trusteeship system. The resolution called on the Union Government to continue to submit annual reports on its administration of the territory for examination by the Trusteeship Council. It noted South Africa's assurance that it would continue to administer the territory in the spirit of the League of Nations mandate. The resolution was adopted by a vote of 43 in favour and one against (South Africa) with five abstentions (Canada, Australia, New Zealand, United Kingdom and India). The Indian delegation abstained because it felt the resolution was weak and ineffective.

The Canadian delegation took no part in the debate on this question either in the Fourth Committee or in the General Assembly. Canada has been unable to agree with those who argue that either the terms of the Charter itself or the repeated invitations of the General Assembly place the South African Government under a legal obligation to submit a trusteeship agreement for South West Africa for the approval of the United Nations. On the other hand, Canada believes that in cases where questions of annexation are involved it would be dangerous for the General Assembly to accept soundings of opinion taken by interested parties. Canada associated itself with the first invitation extended to the Union Government in 1946 to place South West Africa under trusteeship, but it voted against the second invitation in 1947 because the inclusion in it of a time limit for compliance seemed to the Canadian delegation to be likely to have the effect of provoking increased opposition in South Africa to the policy advocated by the General Assembly.

The Canadian delegation abstained from voting on the resolution of the third session of the General Assembly as it did not appear logical to support a resolution maintaining the recommendation of November 1, 1947, which the Canadian delegation had voted against at that time.



### 3. Strategic Areas

In February, 1947, the United States Government submitted to the Security Council the draft of a "strategic area" trusteeship agreement for the former Japanese mandated islands in the Pacific—the Marshalls, the Marianas and the Carolines—and requested that the matter be placed on the agenda of the Security Council. This agreement was submitted in accordance with Article 83(1) of the Charter which provides that "all functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council." Since these Islands were, in the opinion of the United States Government, of permanent strategic importance, the United States proposed in accordance with Article 82 of the Charter that this trust territory should be designated as a strategic area. .

When discussion of the United States proposal began in the Security Council in February, 1947, the Council invited members of the Far Eastern Commission desiring to participate in the discussion to do so. Canada, a member of the Far Eastern Commission, accepted this invitation. The Canadian representative, in expressing the views of the Canadian Government on this matter, stated that the Canadian Government in general approved of the proposed United States trusteeship agreement. Canadian security in the Pacific would be protected by United States control of these islands scattered across the midwest Pacific. At some later date Canada might wish to secure equal privileges with other nations for a trans-Pacific airline that might pass through the islands.

The draft trusteeship agreement submitted by the United States Government was approved unanimously by the Security Council in April, 1947; and in July, 1947, the President of the United States announced that the agreement was approved by the United States Government.

In November, 1947, the Secretary-General, in a letter addressed to the President of the Security Council, observed that the Security Council was required by Article 83(1) of the Charter to exercise all functions of the United Nations relating to strategic areas; and, by Article 83(3) of the Charter, to avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social and educational matters in the strategic areas. It was further pointed out in this letter that Articles 87 and 88 of the Charter were made applicable to the area by Article 13 of the trusteeship agreement. The letter concluded by suggesting that the Security Council formulate and approve procedures to govern the detailed application of Articles 87 and 88 of the Charter to the strategic areas. In November, 1947, the Security Council referred all questions arising out of this letter to its Committee of Experts for study and report.

In the discussions by the Committee of Experts on the question of the respective functions of the Security Council and the Trusteeship Council concerning strategic areas placed under trusteeship, a clear division of opinion developed between the U.S.S.R. (supported by Poland, and later by the Ukraine) and the other members of the Committee. The majority of the Committee of Experts recommended that the Security Council

adopt a draft resolution by which the Trusteeship Council would be requested to perform on behalf of the Security Council functions relating to the political, economic, social and educational advancement of the inhabitants of strategic areas, subject to the terms of the relevant trusteeship agreements. The Trusteeship Council would give to the Security Council a copy of any questionnaire formulated in respect of a strategic area, and would submit to the Security Council its reports and recommendations on matters affecting strategic areas. The majority of the members of the Committee contended that this type of consultation was mandatory on the Security Council, in view of Article 83(3). They argued that in view of the technical nature of the administrative problem, the Security Council should act with the assistance of the Trusteeship Council. It was their opinion that the Trusteeship Council was better qualified to deal with those functions of the United Nations relating to political, economic, social and educational matters in strategic areas than was the Security Council. The Trusteeship Council would have the experience and personnel to deal with these technical matters through working with the other territories for which it exercised responsibility.

The United States Pacific Trust Territory was the first strategic area trusteeship established, and it did not seem to the majority that there was any point in requiring the Security Council to duplicate, for this one strategic area, services already being rendered by the Trusteeship Council for other trust territories.

The U.S.S.R., however, claimed that Articles 83(1) and 85(1) of the Charter provided that all questions relating to strategic areas should be dealt with exclusively by the Security Council. Article 83(3), in their opinion, carried no mandatory obligation on the Security Council to consult with the Trusteeship Council.

In June 1948, the Security Council considered the preliminary report of the Committee of Experts concerning those matters arising out of the Secretary-General's letter of November, 1947. The report of the Committee indicated that the differences between the representative of the U.S.S.R. (and the Ukrainian S.S.R.) and the other members of the Committee on the question of the degree of control which the Security Council should exercise over the strategic areas had not been resolved. These differences were carried over into the discussions which took place in the Security Council. The Security Council took no decision on the report, but it was decided that there should be consultation between the Security Council and the Trusteeship Council to determine the responsibilities of each in this matter.



## 4. The Trusteeship System<sup>1</sup>

Canada is not a member of the Trusteeship Council. The Council consists of members of the United Nations administering trust territories, permanent members of the Security Council which do not administer trust territories, and as many other members, selected for a three year term by the General Assembly, as will ensure that the membership of the Council is equally divided between members which administer trust territories and members which do not.<sup>2</sup>

The second and third sessions of the Trusteeship Council were held between November, 1947, and August, 1948. In these sessions the Trusteeship Council examined reports for South West Africa, and the trust territories of Western Samoa and New Guinea in the Pacific, and Ruanda-Urundi and Tanganyika in Africa. It prepared observations on each for submission to the General Assembly. It dealt with petitions; it established an important precedent in giving an oral hearing to a representative of the inhabitants of Eweland, who petitioned the United Nations to reunite the two Togolands now under French and United Kingdom trusteeship; and it made arrangements for the first regular visiting mission of the Trusteeship Council to go to Ruanda-Urundi and Tanganyika in 1948. It took up with the Security Council the question of co-operation in supervising the administration of strategic areas. It also drafted a statute for the international administration of the City of Jerusalem and gave emergency consideration to the protection of Jerusalem, reporting to the General Assembly on these two subjects during the special session in April and May, 1948.

Until April, 1948, the Soviet Union refused to participate in the work of the Trusteeship Council, on the ground that when the General Assembly approved the trusteeship agreements, whose operation the Trusteeship Council was to supervise, it had disregarded or violated certain important provisions of Chapter XII of the Charter. In April, 1948, however, when the Trusteeship Council began to consider emergency measures to protect the City of Jerusalem, a representative of the Soviet Union took his seat. Since then a somewhat larger proportion of the time of the Trusteeship Council appears to have been occupied by discussions of ideological problems at the expense of the study of actual conditions in the trust territories.

The main body of the Trusteeship Council's report to the third session of the General Assembly was taken up with observations and recommendations concerning the administration of Ruanda-Urundi, New Guinea and Tanganyika. These might be regarded not only as an appraisal of the results of a quarter-century of mandatory administration in the three territories, but also as the first indication of the spirit in which the Trusteeship Council is likely to fulfil its supervisory functions. It is therefore significant that consistent attention was given to the need for improvements

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<sup>1</sup> For a full summary of the establishment of the trusteeship system of the United Nations see *Report on the United Nations Conference on International Organization*, Department of External Affairs, Conference Series, 1945, No. 2, pp. 49-53; *The United Nations, 1946*, Department of External Affairs, Conference Series, 1946, No. 3, pp. 105-110; and *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, pp. 117-120.

<sup>2</sup> For present membership of the Trusteeship Council see Appendix VI, p. 270.



in the fields of education, health, economic and social policy, and in measures designed to prepare the inhabitants for self-government.

When the report of the Trusteeship Council was considered in the Fourth (Trusteeship) Committee of the third session of the General Assembly, education was singled out for special attention, although a general resolution was also adopted emphasizing the duty of administering authorities to promote the development of trust territories in the political, economic and social fields as well as in the realm of education. Without minimizing the importance of health measures, economic improvement and a sound social policy, the majority of the members of the Trusteeship Committee were of the opinion that no consistent advancement could be expected in these fields without a rapid extension of educational facilities.

The resolution calling on administering authorities to intensify their efforts to increase educational facilities in trust territories was introduced by four Latin American states and amended by the United Kingdom, Belgium, Mexico and the U.S.S.R. The resolution proposed to the administering authorities (*a*) that primary education should be free, and access to higher education possible even for those without means, (*b*) that they should improve and expand facilities for training indigenous teachers, and (*c*) that they should study, in consultation with UNESCO, if the Trusteeship Council agreed, the financial and technical implications of an expansion of existing facilities for higher education, including the possible establishment of an African university in 1952. Canada voted for the resolution in Committee, and in the General Assembly the resolution was adopted unanimously.

Protracted discussions took place on sections of the Trusteeship Council's report which dealt with administrative unions. Of these there were three. The trust territory of Ruanda-Urundi was united administratively with the Belgian Congo in 1925. The trust territory of Tanganyika was united administratively with the colonies of Kenya and Uganda at the end of 1947; and in 1948 a bill was introduced in the Australian Parliament for the administration of the trust territory of New Guinea and the colony of Papua by a single Administrator, a single Executive Council and Advisory Council for Native Affairs, and a single judiciary. The trusteeship agreements for each of the three trust territories concerned had made provision for customs, fiscal or administrative unions with adjacent colonies, provided these unions were not inconsistent with the purposes of the trusteeship system and with the provisions of the trusteeship agreements themselves. The question which arose, therefore, both in the Trusteeship Council and in the Fourth Committee, was whether the three administrative unions now established or planned were compatible with the purposes of the trusteeship system.

The Trusteeship Council expressed the hope that the political identity of Ruanda-Urundi would be preserved. It reserved judgment on the ability of Tanganyika to retain its separate identity. Its first regular visiting mission was sent to Tanganyika in 1948 and the Trusteeship Council decided to await the report of this mission on the practical effects of the administrative union before making a recommendation. In the case of New Guinea, where a closer fusion is planned, the Trusteeship Council suggested that the International Court of Justice should be asked for a ruling on the compatibility of the Australian bill with the terms of the trusteeship agreement. The Trusteeship Council also recommended that

Australia should review its own policy to make sure that conditions which might obstruct the separate development of New Guinea should not be created.

The U.S.S.R., leading the opposition to administrative unions of any sort, proposed in the Fourth Committee of the Assembly that the administrative unions already constituted or proposed should be dissolved. This resolution was rejected, Canada being among those who voted against it.

There was more support for an attempt (a) to prevent the establishment of administrative unions until the inhabitants of the trust territories concerned were ready to form their own governments and to decide for themselves the political associations into which they wished to enter, (b) to require that administering authorities should consult the Trusteeship Council before extending the period or scope of an existing administrative union or before establishing a new one, and (c) to subject the entire area of an administrative union to the Trusteeship Council's supervision if it became impossible to supply separate data on the portion to which the trusteeship agreement applied. This supervision would be without prejudice to the status of the non-trust territory in the union. Because these proposals seemed to restrict unduly a right given to the administering authorities under specific provisions of the individual trusteeship agreements concerned, Canada voted against them. Although adopted by the Fourth Committee, they were defeated in the General Assembly.

The position now taken by the United Nations on the contentious issue of administrative unions is as follows:

- (a) The General Assembly has endorsed the observation of the Trusteeship Council that administrative unions must remain strictly administrative, and that they must not create conditions which would obstruct the separate development of any trust territory as a distinct entity in the fields of political, economic, social and educational advancement.
- (b) The Trusteeship Council has been asked to do three things:
  - (i) to investigate the effects of the administrative unions already constituted or proposed, and to recommend safeguards needed both to preserve the distinct political status of the trust territories and to facilitate its own supervisory functions;
  - (ii) to ask the International Court of Justice, where necessary, for an opinion on the compatibility of any union with the terms of the Charter and the relevant trusteeship agreement;
  - (iii) to report the results of its investigations to the fourth session of the General Assembly.

Finally the General Assembly adopted a resolution asking the Trusteeship Council to consider the comments and suggestions made during the third session of the General Assembly on the whole range of the Trusteeship Council's interests.





## **VI. Administrative and Budgetary Questions.**



## VI. ADMINISTRATIVE AND BUDGETARY QUESTIONS

### 1. Report of the Board of Auditors<sup>1</sup>

In the "Financial Report and Accounts for the year ended December 31, 1947 and Report of the Board of Auditors", the United Nations Board of Auditors of which the Auditor General of Canada is Chairman, drew attention to several ways in which the administrative and financial practices of the United Nations could be improved.

In June, 1948, the Advisory Committee on Administrative and Budgetary Questions examined the report of the Board of Auditors and stated that the observations and conclusions of the Auditors reflected the fact that the United Nations by the end of 1947 was emerging from the period of administrative difficulties which had characterized 1946. The Advisory Committee considered that the deficiencies in the financial system to which the Auditors had drawn attention appeared to be well in hand by June, 1948. There had been numerous consultations between the Chairman of the Board of Auditors, the Advisory Committee and the Secretariat to obtain efficiency and economy in the United Nations administration.

The Fifth Committee of the General Assembly considered the "Financial Report and Accounts and the Report of the Board of Auditors" on September 28, 1948, as well as the observations on it of the Advisory Committee on Administrative and Budgetary Questions. The discussion in the Fifth Committee on the report generally was very brief. In a general statement given during the opening debate in the Committee, the Canadian representative indicated Canada's approval both of the report of the Auditors and of the recommendations of the Advisory Committee.

After a few delegations had reserved their position on specific points which might arise in connection with other items on the agenda to be dealt with later, the Fifth Committee agreed without objection to recommend to the General Assembly that it accept the report of the Board of Auditors and concur in the observations of the Advisory Committee on Administrative and Budgetary Questions on it. A resolution giving effect to these recommendations was subsequently adopted without objection by the General Assembly.

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<sup>1</sup> See also *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, p. 140.



## 2. The Budget of the United Nations

### (a) 1949 Budget

The third session of the General Assembly approved budgetary expenditures for the year 1949 totalling \$43,487,128 (US) and estimated that miscellaneous income for the same period would amount to \$4,794,550 (US). Accordingly, the net amount to be contributed by Member Governments for 1949 will be \$38,692,578 (US). Under the United Nations scale of contributions the Canadian share of this assessment is 3.2% so that the Canadian contribution for 1949 will be \$1,238,162.50 (US). The following is the Budget for 1949 as approved:

#### FOR FINANCIAL YEAR 1949

##### A. THE UNITED NATIONS

##### PART I—SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES

Section	Amount (In United States dollars)
1. The General Assembly and Commissions and Committees thereof.....	\$ 1,706,200
2. The Security Council and Commissions and Committees thereof.....	472,300
3. The Economic and Social Council and Commissions and Committees thereof.....	\$ 438,780
(a) Permanent Central Opium Board and Drug Supervisory Body.....	45,000
(b) Regional Economic Commissions.....	48,110
4. The Trusteeship Council and Commissions and Committees thereof.....	150,000
	<hr/> \$ 2,860,390

##### PART II—SPECIAL CONFERENCES, INVESTIGATIONS AND ENQUIRIES

Section	Amount (In United States dollars)
5. Special Conferences.....	\$ 86,330
6. Investigations and Enquiries.....	5,248,303
	<hr/> \$ 5,334,633

## PART III—HEADQUARTERS, NEW YORK

Section	Amount (In United States dollars)
7. Executive Office of the Secretary-General.	\$ 332,360
8. Department of Security Council Affairs...	645,400
9. Military Staff Committee Secretariat.....	162,200
10. Department of Economic Affairs.....	2,181,000
11. Department of Social Affairs.....	1,256,125
12. Department of Trusteeship and Informa- tion from Non-Self Governing Territories.	812,490
13. Department of Public Information.....	\$2,860,050
A. Library Services.....	378,110
	<hr/>
	3,238,160
14. Department of Legal Affairs.....	480,380
15. Conference and General Services.....	6,825,000
16. Administrative and Financial Services....	1,387,120
17. Common Staff Costs.....	4,379,200
18. Common Services.....	2,083,700
19. Permanent Equipment.....	370,090
	<hr/>
	\$24,153,225

## PART IV—EUROPEAN OFFICE

Section	Amount (In United States dollars)
20. The European Office (excluding direct costs, Chapter III, Secretariat of the Per- manent Central Opium Board and Drug Supervisory Body).....	\$3,667,880
Chapter III, The Secretariat (direct costs) of the Permanent Central Opium Board and Drug Supervisory Body.....	41,200
	<hr/>
	\$ 3,709,080
	<hr/>
	\$ 3,709,080

## PART V—INFORMATION CENTRES

Section	Amount (In United States dollars)
21. Information Centres (other than Informa- tion Services, European Office).....	\$ 719,990

PART VI—REGIONAL ECONOMIC COMMISSIONS  
(Other than the Economic Commission for Europe)

Section	Amount (In United States dollars)
22. Economic Commission for Asia and the Far East.....	\$ 587,380
23. Economic Commission for Latin America.	385,430
	<hr/> \$ 972,810

PART VII—HOSPITALITY

Section	Amount (In United States dollars)
24. Hospitality.....	\$ 20,000

PART VIII—ADVISORY SOCIAL WELFARE FUNCTIONS

Section	Amount (In United States dollars)
25. Advisory Social Welfare Functions.....	\$ 631,000

PART IX—UNDISTRIBUTED EXPENSES

Section	Amount
26. Cost of the adoption of Spanish as a Working Language.....	\$ 300,000

B. INTERNATIONAL COURT OF JUSTICE

PART X—THE INTERNATIONAL COURT OF JUSTICE

Section	Amount (In United States dollars)
27. Salaries and Expenses of Members of the Court.....	\$ 375,000
28. Salaries, Wages and Expenses of the Registry.....	205,000
29. Common Services.....	60,000
30. Permanent Equipment.....	10,000
	<hr/> \$ 650,000



PART XI—COST OF CONVERTING SALARIES AND ALLOWANCES FROM NET TO GROSS AND INCREASE IN HEADQUARTERS COST OF LIVING ALLOWANCES

Section	Amount
31. Cost of converting salaries and allowances from net to gross and increase in Headquarters cost of living allowances.....	\$ 4,286,000
	<hr/> \$43,637,128
32. Global reduction on provisions for Contractual Printing.....	— 150,000
	<hr/> \$43,487,128
Less estimated miscellaneous income.....	—4,794,550
	<hr/> \$38,692,578

These appropriations were approved after critical and exhaustive examination by the Fifth Committee both of the budget estimates submitted at the beginning of the session by the Secretary-General, which proposed expenditures amounting to \$33,469,587 (US), and of supplementary amounts required for 1949 to implement the decisions made by the General Assembly during the session. Among Assembly decisions leading to large increases in the original estimates were the following:

- (a) decisions to continue the activities of a number of special commissions of enquiry such as the United Nations Special Committee on the Balkans, the United Nations Commission for India and Pakistan, the Committee of Good Offices on the Indonesian Question, the United Nations Conciliation Commission on Palestine, the Commission on Korea, at an estimated cost of \$5,248,303;
- (b) the provision of \$336,000 for a second part of the third session of the General Assembly;
- (c) \$288,000 for technical assistance for economic development; and
- (d) adoption of Spanish as a working language for the General Assembly at a cost of \$300,000.

Supplementary amounts may also be required later for any projects which are approved at the second part of the third session, and to cover commitments made during 1949 by the Secretary-General under the special authorization granted to him by the General Assembly to meet unforeseen and extraordinary expenses arising during the period the Assembly is not in session.

In his opening statement before the Committee the Secretary-General indicated his willingness to co-operate in achieving maximum economies during 1949 by agreeing to accept the recommendations of the Advisory Committee on Administrative and Budgetary Questions for proposed reductions in the budget of over \$1¼ million. He was not, however, willing to accept a further proposal for a reduction of \$300,000 in expatriation allowances for staff members serving away from their home countries<sup>1</sup>.

<sup>1</sup> See Section VI, Chapter 8, p. 181.

He also stressed his recognition of the need for further improvement in the conduct of the administrative and budgetary affairs of the Organization and drew particular attention to the necessity of "controlling the financial implications of the activities of Government representatives in the many agencies of the United Nations if any effective control over expenditures was to be attained".

During the general debate that followed the Canadian delegate agreed that although there had been considerable improvement in the financial affairs of the United Nations over the past year the need for increasing efficiency and economy in all United Nations activities could not be over-emphasized. While approving generally of the budget estimates as modified by the reductions proposed by the Advisory Committee and in the light of the observations of the Board of Auditors, he indicated his intention of pressing for further economies and other improvements during the course of examination of the individual sections of the budget. He also commented generally on certain of the financial activities of the Organization to which the Canadian Government attaches importance<sup>1</sup>.

In accordance with the intention expressed in these opening remarks the Canadian delegate participated actively in examination of all proposed expenditures. His attitude in budgetary discussions was that funds adequate for the effective and economical carrying out of priority projects should be approved but that less urgent projects should be deferred until a more propitious time. He drew attention to the adverse effect on world public opinion that would arise if the feeling became widespread that the Organization was financially irresponsible. However, he opposed arbitrary cuts in the budget which in the opinion of the Canadian delegation would have seriously curtailed the ability of the organization to perform its functions properly and to carry out its responsibilities fully.

During the course of the discussion of the estimates the Secretary-General gave specific assurances that he would endeavour to achieve, wherever possible, further economies in those phases of the activities of the Organization such as expenditures of the Department of Public Information on printing and on overseas missions which had been the subject of critical remarks by a number of delegations during the session.

As in preceding years, the delegations of the U.S.S.R. and other Eastern European countries took exception to the approval of appropriations for the Interim Committee and for the political Commissions of Enquiry. It was their contention that these bodies were either unnecessary or had been illegally constituted. When the budget resolution was voted in the General Assembly, the U.S.S.R. and the other five Eastern European states therefore abstained, on the grounds that a number of unconstitutional items had been included and also because, in their opinion, the budget had reached too high a figure.

## **(b) Supplementary Expenditures for 1948**

The General Assembly also approved an amount of \$4,460,541 (US) as a supplement to the 1948 Budget (of \$34,825,195) which had been adopted by the second session of the General Assembly. Of these supplementary requirements only \$2,958,235.40 (US) will have to be contributed by Member Governments as the balance is available out of savings in the 1946 and 1947 appropriations and from a revision in the amounts of miscellaneous

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<sup>1</sup> For text of this statement see Appendix IV-A, pp. 256-258.



income actually collected during 1947 and 1948. On the basis of a share of 3.2%, the Canadian portion of this additional assessment is \$94,663.53 (US). Taken in conjunction with Canada's assessed share of \$1,238,162.50 for the 1949 Budget this means that Canada's total contribution to the United Nations during 1949 will be \$1,332,826.03 (US).

The supplementary appropriations referred to above were necessary to cover the following commitments for unforeseen or extraordinary expenses entered into by the Secretary-General during 1948 under special authority granted by the General Assembly:

	Amount (In United States dollars)
Investigations and Enquiries (mainly Palestine Mission)	\$4,129,305
General Assembly (mainly Special Session for Palestine)	222,519
Economic Commissions for Europe and for Asia.....	268,620
Transfer of League of Nations Assets.....	533,767
Repayment to the Working Capital Fund of Advances made to finance expenses of the International Con- ference on Trade and Employment and its preparatory bodies.....	779,642
	<hr/> 5,933,853
LESS other adjustments in 1948 appropriations (net figure).....	1,473,312
	<hr/> <hr/> \$4,460,541

In considering these items the expenses incurred for Palestine, which constituted such a substantial portion of the total, were subjected to very thorough and detailed examination<sup>1</sup>. During this discussion the Assistant Secretary-General in charge of Administrative and Financial Services gave assurances that the Secretariat would make every endeavour to give full effect to a number of recommendations made by the Advisory Committee on Administrative and Budgetary Questions regarding the administration and financing of future missions of this kind.

While the difficulties confronting the Secretary-General in the administration and control of overseas missions were generally recognized, it was the view of the Committee that these difficulties, and the fact that strict adherence to regular administrative and budgetary procedures was not always possible, made it all the more important that the financial implications of decisions taken and the need for the most effective possible control over expenditures should be borne constantly in mind. The Canadian delegation suggested that the Advisory Committee and the Board of Auditors should, in co-operation with the Secretary-General, pay particular attention during 1949 to the administrative, budgetary and financial activities of overseas missions with a view to submitting to the next session of the General Assembly recommendations regarding appropriate measures which might be taken to render existing methods of control over expenditures more effective.

<sup>1</sup> For discussion of "Repayment of Advances to International Conference on Trade and Employment", and of "Transfer of League of Nations Assets", see Section VI, Chapter 3, p. 168 and Chapter 5 p. 172.



### 3. The Working Capital Fund

#### a) Advances from the Working Capital Fund

In a resolution adopted by the General Assembly at its second session, the Secretary-General was authorized to make advances from the Working Capital Fund to meet unforeseen and extraordinary expenses during 1948, to establish various revolving funds, to make loans to specialized agencies and to make advances for certain other purposes.

The Secretary-General presented to the third session of the General Assembly a report which described in considerable detail the main types of advances made under this authorization. The report was considered by the Fifth Committee and proved non-contentious with the exception of the section dealing with the financing of the United Nations Conference on Trade and Employment. For this purpose \$1,336,756 (U.S.) had been expended up to the time the Interim Committee of the International Trade Organization came into being (\$557,114 (U.S.) by appropriations from the United Nations Budget, and \$779,642 (U.S.) by advances from the Working Capital Fund). The question to be resolved was the portion of these expenditures to be borne by the United Nations (which initiated the discussions leading to the establishment of the Interim Committee of the ITO) and the portion to be borne directly by the Trade Organization, (when finally established), or by the Member States participating in the trade discussions.

Before coming to a decision on the specific question raised by the advances to the United Nations Conference on Trade and Employment, the Committee discussed and finally agreed upon the following general principles for financing new specialized agencies:

- (i) That expenses in connection with technical preparatory committees established by the Economic and Social Council for the creation of any new specialized agency in accordance with the terms of Article 59 of the Charter and held prior to the first full conference, should be borne, as a general rule, by the United Nations budget;
- (ii) That the expenses of a first general conference called to frame the constitution of an organization and to open it for signature may in appropriate circumstances be borne by the United Nations budget;
- (iii) That the expenses of preparatory or interim commissions created by the constituent conferences should be borne by the Governments ratifying the constitution of a proposed new specialized agency;
- (iv) That any loans made by the United Nations to an established specialized agency should be on a fully reimbursable basis.

The result of the voting in the Fifth Committee and the General Assembly was (i) to require the United Nations to defray the whole of the advances to the United Nations Conference on Trade and Employment, and, (ii) to authorize the Secretary-General to make additional advances, up to a specified limit, to the Interim Committee of the International Trade Organization, on the understanding that these were to be clearly recognized as loans rather than advances.

**b) Size of the Fund**

During the third session of the General Assembly, the Soviet delegation proposed a reduction of the Working Capital Fund to \$15,000,000, contending that the present Fund was unnecessarily large. In advancing this proposal, the Soviet delegate agreed that if the General Assembly later approved an advance of \$5,000,000 from the fund for financing relief for Palestinian refugees (then under consideration in the Third Committee) the whole question might be reconsidered. The Soviet proposal was defeated after a number of delegations had pointed out that the financial position of the organization would be seriously jeopardized by any reduction in the Working Capital Fund at the present time. The Fund, therefore, remains at \$20,000,000. The decision to maintain the Fund at this figure, and to authorize the Secretary-General to make advances from it during 1949 for certain stated purposes, was contained in a resolution which was adopted by the General Assembly without objection.

#### 4. Scale of Contributions to the Budget<sup>1</sup>

In its deliberations to date the Committee on Contributions has been handicapped by a shortage of reliable statistics, and as a result the scales of assessments for the apportioning of the expenses of the United Nations which the Committee has recommended, though generally reflecting "capacity to pay", have necessarily been somewhat arbitrary in nature. This situation did not change during 1948, and the Committee on Contributions recommended a continuation of the temporary scale of contributions for another year.

The Fifth Committee of the third session of the General Assembly considered the report of the Committee on Contributions, as well as a proposal from the United States representative for an amendment to rule 149 of the Rules of Procedure, which would provide for the establishment of a ceiling of one-third on the contributions of Member Nations. The United States representative stated that in an organization of sovereign equals it was not desirable that one nation pay too high a share of the budget. The Fifth Committee also had before it a further amendment to rule 149 of the Rules and Procedure, submitted by the Canadian delegation, to the effect that the per capita contribution of any Member should not exceed the per capita contribution of the Member bearing the highest assessment. The Canadian delegate pointed out that member states would find it difficult to justify a higher per capita payment than that of the country with the highest per capita income<sup>2</sup>.

After lengthy discussion both in the Committee and in a special working group set up to deal with these proposals, a resolution, was approved by the Fifth Committee. The resolution noted that "in normal times", no Member State should contribute more than one-third of the ordinary expenses of the United Nations for any one year, and that "in normal times" the per capita contribution of any Member should not exceed the per capita contribution of the Member which bears the highest assessment. It noted also that the Committee on Contributions needs more adequate statistical data for its work.

The operative part of this resolution:

- (a) re-affirmed the terms of reference of the Committee on Contributions, as well as the principle of a percentage ceiling;
- (b) called upon Member States to assist the Committee on Contributions by providing essential statistics and information;
- (c) instructed the Committee on Contributions to recommend how additional contributions resulting from the admission of new Members, and from increases in the relative capacity of Members to pay, can be used to remove existing maladjustments in the present scale of contributions; and
- (d) stated that the General Assembly will decide on a proper ceiling rate when a more permanent scale is proposed.

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<sup>1</sup> See also *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, p. 137.

<sup>2</sup> The text of the Canadian statement is given in Appendix IV-B, pp. 258-260.



The Canadian representative speaking in the discussion of the Fifth Committee on this resolution, supported it as an acceptable compromise, and urged all Governments to furnish all information on their capacity to pay.

The recommendations of the Fifth Committee were approved by the General Assembly in plenary session, on November 18, 1948.

Under the scale adopted the contributions of the largest contributors for 1949 are;

United States of America.....	39.89
United Kingdom.....	11.37
Union of Soviet Socialist Republics	6.34
China.....	6.00
France.....	6.00
India and Pakistan.....	3.95
Canada.....	3.20

## 5. Transfer of the Assets of the League of Nations<sup>1</sup>

The General Assembly of the United Nations at the first part of its first session in February, 1946, approved the common plan recommended by the Assembly of the League of Nations for the sharing of the assets of the League among the thirty-two countries who were members of the League at the time of its dissolution. These assets are divided as follows:

Permanent Capital Assets.....	\$9,741,994.00 (US)
Other than Permanent Capital Assets.....	\$1,067,535.21 (US)
Total Credits.....	<hr/> \$10,809,529.21 (US)

The U.S.S.R., Chile, Venezuela, Peru, Haiti, El Salvador, Guatemala, Honduras and Nicaragua had also submitted claims since they were at one time members of the League of Nations.

This matter was considered by the Fifth Committee of the third session of the General Assembly which had before it a joint resolution of the United Kingdom and France, recommending that the thirty-two former member states of the League should make available shares in the credits of the League of Nations to the nine other states submitting claims, and that each of the thirty-two beneficiary countries should for this purpose surrender a pro rata share of their credits. This resolution was approved by the Fifth Committee which also decided that the credits should be repaid in the following way:

- (1) The sum relating to other than Permanent Capital Assets to be liquidated in two equal installments in 1949 and 1950.
- (2) The amount relating to permanent capital assets, in fifteen equal annual installments beginning with the United Nations annual budget for 1951.

The credits will be applied against contributions to the budget of the Organization.

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<sup>1</sup>For previous discussion of this question see *Report on the First Part of the First Session of the General Assembly of the United Nations*, Department of External Affairs, Conference Series 1946, No. 1, pp. 36-38.

## **6. Other Administrative and Budgetary Questions**

### **(a) Payment of Travelling and Subsistence Expenses to Representatives to the General Assembly and Members of Committees and other Bodies.**

The question of the payment of travelling expenses and subsistence allowances to representatives to the General Assembly and members of Commissions has arisen at each session of the General Assembly. At the second session of the General Assembly it was decided to refer the question to the Advisory Committee on Administrative and Budgetary Questions for examination and report to the third session of the General Assembly. In its report for 1948 the Board of Auditors noted that the travel and subsistence allowances paid to representatives to the General Assembly and to members of Commissions were excessive. In view of the fact that clear principles had not been established for payment of these expenses, the Advisory Committee on Administrative and Budgetary Questions, in its first report for 1948, recommended specific methods for dealing with them.

The Fifth Committee of the third session of the General Assembly considered these suggestions of the Advisory Committee, and adopted them with certain modifications. The Canadian representative on the Fifth Committee supported the report of the Advisory Committee on this matter.

The Fifth Committee also approved a proposal of the Philippine delegation designed to improve the administration of rules governing payment of travelling and subsistence allowances. This proposal is intended to ensure a more effective control over these expenditures for missions away from headquarters.

### **(b) Transfer to the United Nations of the Residual Assets of UNRRA.**

The Secretary-General informed the third session of the General Assembly of the United Nations that he had concluded an Agreement with the Director-General of the United Nations Relief and Rehabilitation Administration, whereby the United Nations would take over the residual accounting functions of UNRRA and the following other functions:

- (a) Supervision of the completion of the UNRRA History Project.
- (b) Maintenance of UNRRA's archives.
- (c) Assignment of certain UNRRA claims for the account of the International Children's Emergency Fund.

This Agreement was ratified by the third session of the General Assembly in plenary session, on the unanimous recommendation of its Fifth Committee.

### **(c) Use of Spanish as a Working Language.**

The Secretary-General, as requested by the second session of the General Assembly of the United Nations, presented to the third session a report on the proposal for the adoption of Spanish as one of the working languages of the General Assembly. In it, the Secretary-General stated that the use of Spanish as a working language of the General Assembly alone would



involve additional costs amounting to \$347,666 and if the other organs of the United Nations also adopted it, the additional cost for staff and facilities would be increased by a further \$888,565. The Secretary-General also stated that the efficient organization and functioning of the Secretariat would be adversely affected if this proposal were adopted. The Advisory Committee on Administrative and Budgetary Questions informed the third session of the General Assembly that it concurred in the Secretary-General's report.

The Fifth Committee of the General Assembly considered the political, legal, administrative and budgetary aspects of this problem in the light of the reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions. After a lengthy discussion the Fifth Committee approved the report of the Advisory Committee by 21 votes in favour, 20 against, with 5 abstentions. However, this decision was reversed by the General Assembly in plenary session, so that Spanish is now an official working language of the General Assembly. Upon adoption of Spanish as a working language, the Chinese and Soviet delegations unsuccessfully pressed for similar status for the Chinese and Russian languages.

The Canadian delegation opposed the introduction of Spanish as a working language, since the delegation considered that its adoption would hamper administrative efficiency and require a further increase in an already large budget at a time when there was obvious need for economy.

#### **(d) Training in Public Administration.**

A proposal for international training in public administration, which the Economic and Social Council had considered at its sixth session in February, 1948, was discussed at the third session of the General Assembly. The plan proposed included suggestions for an International Administrative Staff College for senior civil servants, an International School of Public Administration for younger or potential civil servants, the provision of experts to give technical assistance upon request by governments, and facilities for exchange of civil servants. This matter was considered by the Fifth Committee, which had before it a number of resolutions, and finally adopted a proposal of the Secretary-General which, although it accepted the principle of the establishment of an International Centre, confined the activities in 1949 to the selection of the Directing Staff, the conduct of detailed studies and preparation for operating the Centre in 1950. The estimated expenditure for this purpose during 1949 would be approximately \$16,700 (US). Canada did not regard the proposed International Centre as essential at the present time, and considered that in any case the Governments and the individuals concerned should, if the proposal were acted upon, assume the large part, if not the whole, of the expenses. The resolution accepted by the Fifth Committee was adopted by the General Assembly in plenary session on December 4, 1948.

#### **(e) United Nations Postal Services.<sup>1</sup>**

By a resolution of the General Assembly adopted on November 20, 1947, the Secretary-General was requested "to make inquiries into the administrative, technical and financial implications of the organization of a

<sup>1</sup> See also *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series, 1947, No. 1, p. 154.

United Nations Postal Service and to make recommendations to the next regular session of the General Assembly”.

The report of the Secretary-General on this proposal was considered at the third session of the General Assembly. The Secretary-General's report concluded with the following comment:

“In view of the limited financial prospects, complicated technical and administrative operations involved, and limited usefulness to overseas offices and specialized agencies, it would appear that there would be no financial advantage in pursuing this project further at the present time.”

The Fifth Committee, however, in a resolution of October 1, 1948, made the following decisions:

- 1) to approve only in principle the establishment of a United Nations postal administration;
- 2) to request the Secretary-General to negotiate arrangements for special or over-printed United Nations stamps provided that there will be no financial loss to the United Nations as a consequence of these special stamp issues.

When this resolution was considered in plenary session of the General Assembly, the representative of the U.S.S.R. moved the deletion of the paragraph “The General Assembly approves in principle the idea of establishing a United Nations postal administration”. The Soviet proposal was defeated by a vote of 12 in favour, 30 against and 11 abstentions. The resolution was then adopted by the General Assembly without opposition.

The establishment of a United Nations Postal Service, although approved in principle by the Fifth Committee, will not, it is expected, be made effective for two or three years at least, and may indeed be indefinitely postponed.

The question will come up again at the fourth session of the General Assembly when the Secretary General reports on his endeavours to negotiate with the Universal Postal Union and also with national postal administrations.

#### **(f) United Nations Telecommunications System.<sup>1</sup>**

The Secretary-General was authorized by the second session of the General Assembly to negotiate for the obtaining of wave lengths, call signs and other facilities necessary for the operation of a United Nations telecommunications system and to report on this subject to the third session of the General Assembly. In his report the Secretary-General did not recommend any appropriation of funds at the present time but urged the General Assembly to reaffirm the United Nations position as an operating agency in international telecommunication, and to call upon Member Nations to support the United Nations requirements for frequencies and services at all international telecommunications conferences. The present operations of United Nations radio services have been possible only because transmission time of United States and Canadian transmitters has been placed at the disposal of the United Nations.

<sup>1</sup> See *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, p. 155.

The General Assembly at its third session examined and approved with slight changes the report of the Secretary-General. The Assembly considered that the United Nations should have its own radio facilities, but should not at present commit itself to any specific plan either to own or to rent facilities, or to any financial undertaking. The Secretary-General is to present to the General Assembly, at its session in 1950, recommendations for the establishment of the telecommunications system.



## **7. Appointments to Standing Committees of the General Assembly<sup>1</sup>**

### **Advisory Committee on Administrative and Budgetary Questions**

The following were appointed to serve on the Advisory Committee on Administrative and Budgetary Question for a period of three years beginning January 1, 1949:

Mr. Thanassis Aghnides (Greece)

Mr. C. L. Hsia (China)

Mr. V. I. Kabushko (U.S.S.R.)

The General Assembly also approved a report of the Fifth Committee appointing to the Advisory Committee on Administrative and Budgetary Questions Mr. William O. Hall of the United States for the remainder of the term of Mr. Donald C. Stone who had resigned. Mr. Hall's term of office expires on December 31, 1949.

### **Committee on Contributions**

The following were appointed to the Committee on Contributions to serve for a period of three years beginning January 1, 1949:

Mr. René Charron (France)

Mr. P. M. Chernyshev (U.S.S.R.)

Mr. Seymour Jacklin (Union of South Africa)

Mr. G. Martinez-Cabanas (Mexico)

Czechoslovakia proposed that at the third session of the General Assembly Dr. Jan Papanek, the former permanent representative of Czechoslovakia to the United Nations, who is a member of both these committees, should be replaced, on the grounds that he no longer retained the confidence of the countries in the geographic area which he was appointed to represent. In considering this item the Fifth Committee of the General Assembly heard statements by the representative of Czechoslovakia, by Dr. Jan Papanek, and by the Legal Department of the Secretariat. The Fifth Committee by a roll-call vote defeated the Czechoslovak motion by 25 votes to 6, with 12 abstentions. In the plenary session the representative of Poland introduced a resolution similar to the earlier Czechoslovak resolution. The Polish resolution was rejected by a vote of 6 in favour, 30 against and 13 abstentions. Canada concurred in the opinion of the majority that Dr. Papanek had been appointed to these two committees in his capacity as an expert, and should not therefore be removed from office.

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<sup>1</sup> The full membership of these standing committees is given in Appendix VI, pp. 268-272.

### **Board of Auditors**

The Auditor-General (or corresponding official) of Denmark was appointed to fill the vacancy in the membership of the Board of Auditors. He will serve for a three-year term commencing on July 1, 1949.

### **Investments Committee**

The General Assembly approved the appointment by the Secretary-General, concurred in by the Advisory Committee on Administrative and Budgetary Questions, of Mr. Leslie R. Rounds, First Vice-President of the Federal Reserve Bank of New York, as a member of the Investments Committee for a three-year term commencing January 1, 1949.

## **8. Questions Relating to the Secretariat**

### **(a) United Nations Staff Pension Scheme.**

During the third session of the General Assembly the Fifth Committee considered two reports relating to the United Nations Staff Pension Scheme. The first, the annual report of the Staff Benefit Committee on the operation of the Pension Scheme and on the financial position of the Pension Fund, was approved without objection after a brief discussion. The second, a report by the Staff Benefit Committee containing proposals for a permanent pension scheme and the observations and recommendations on these proposals submitted by the Advisory Committee on Administrative and Budgetary Questions at the request of the second session of the General Assembly, required more detailed consideration.

In this report the Advisory Committee recommended acceptance of the proposals of the Staff Benefit Committee subject to certain revisions. These revisions mainly entailed integration of orphans' benefits into the scheme, a change in withdrawal benefits and in conditions for payment of widows' benefits, and certain reductions mainly in the scale of disability benefits in order to ensure that the financial cost of the scheme would remain within the limit of 21% of the salaries (of which the staff member would contribute 7% and the organization 14%). The Advisory Committee also drew attention to the necessity of safeguarding the right of the General Assembly to make changes in the scheme in future if these were necessary or desirable. Furthermore it recommended that the scheme as evolved should be suitable to cover both the United Nations and the specialized agencies.

After detailed discussion of these recommendations by the Fifth Committee of the third session of the General Assembly in which the Chairmen of the Advisory Committee and the Staff Benefit Committee participated, agreement was reached on amendments which should be made in the regulations for a permanent pension scheme. The report with these amendments was approved by the Fifth Committee and by the General Assembly in plenary session. In this discussion the Canadian delegation expressed itself in favour of the proposals of the Advisory Committee.

### **(b) Tax Equalization.**

At its second session the General Assembly requested the Secretary-General to prepare a staff contributions plan designed to overcome some of the difficulties arising out of the current situation under which certain staff members pay taxes and others do not. The Secretary-General was also to report on the action taken by Member States to exempt their nationals employed by the United Nations from national income taxation.

In the Fifth Committee of the third session of the General Assembly the preliminary discussion of the tax plan proposed by the Secretary-General was exceedingly acrimonious. Differences arose not only in relation to the technical aspects of the scheme, but also due to the fact that certain delegations, especially Poland and other Eastern European States vigorously attacked the United States on political as well as technical grounds for failure to grant tax exemption. The Canadian delegation intervened in



this discussion to point out that the objections of the United States to a tax-free class were understandable in the light of her history and traditions, and that these objections were shared by the Canadian people. However, the Canadian delegation contended that the plan represented a practicable and equitable method of achieving the desired results. After this discussion the Fifth Committee adopted four resolutions under which the General Assembly

- (a) Resolves to adopt a staff assessment plan and establishes the basis for its operation.
- (b) Authorizes revisions in the salary rates essential to give effect to this decision.
- (c) Calls upon Member States to grant tax immunity or alternatively to grant relief from double taxation to their nationals employed by the United Nations.
- (d) Authorizes the Secretary-General to continue during 1949 to reimburse staff members for taxes paid to their national governments.

These resolutions were adopted by the General Assembly at its plenary session on November 18. In voting on the resolutions, the Canadian delegation supported resolutions (a), (b) and (d), but abstained on resolution (c), as Canada has not yet granted full tax immunity to Canadian nationals employed by the United Nations.

### **(c) Composition of the Secretariat and the Principle of Geographical Distribution.**

One of the problems which caused much discussion at the second session of the Assembly was the unbalanced geographical distribution of the Secretariat.<sup>1</sup>

As a result of these discussions the Secretary-General, in accordance with a resolution approved by the second session of the General Assembly, submitted a report to the third session of the Assembly examining the recruitment policy, the qualifications and experience of the members of the staff and the methods by which the geographical distribution of the staff could be improved.

This report was discussed by the Fifth Committee of the third session of the General Assembly which commended the Secretary-General on the progress he had made during 1948 in improving the geographical distribution of the staff of the Secretariat. The Committee noted that the figures presented by the Secretary-General revealed more progress in the numerical distribution of the various nationalities than in the nationality distribution in the higher posts. The Fifth Committee adopted a resolution asking the Secretary-General, "with due regard to the other principles embodied in Article 101, paragraph 3 of the Charter",<sup>2</sup> to continue his efforts toward the objective of staffing on as wide a geographical basis as possible all posts and grades internationally recruited.

<sup>1</sup> See *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, p. 146.

<sup>2</sup> Paragraph 3 of Article 101 reads as follows:

"The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible."

#### **(d) Salaries and Allowances**

One of the most important of the decisions of the Fifth Committee relating to the Secretariat concerned the whole system of remuneration of the United Nations staff. The Advisory Committee on Administrative and Budgetary Questions suggested that a comprehensive review of the salary and allowance system should be undertaken by the Secretary-General for consideration at the fourth regular session of the General Assembly. It recommended that a working party of three independent experts appointed by the Secretary-General in agreement with the Advisory Committee assist in this review. The Fifth Committee unanimously agreed that this review should be undertaken.

#### **(e) Expatriation Allowances.**

The Fifth Committee of the third session of the General Assembly also considered a recommendation of the Advisory Committee on Administrative and Budgetary Questions that "after two years residence, persons who intend to remain with the United Nations as a career should be expected to adapt themselves to the general conditions of service and be assimilated to the regular United Nations salary scales without expatriation allowance". This recommendation of the Advisory Committee was opposed by the Secretary-General who contended that the elimination of expatriation allowances would make it more difficult to recruit staff of high calibre from abroad. This might lead to a reduction in the overall ability and efficiency of the staff. After a lengthy discussion, the Fifth Committee agreed to permit the payment for one more year of expatriation allowances; the whole question to be reviewed again in the light of the recommendations of the expert committee in its review of the salary and allowance system.

#### **(f) Cost-of-living Bonus and Administrative Tribunal.**

The Fifth Committee also approved recommendations for cost-of-living adjustments and received an assurance from the Secretary-General that he would take steps to establish suitable machinery to deal with staff problems and report to the fourth session of the General Assembly on the action taken in this respect.



## 9. Budgetary and Financial Co-ordination of the Specialized Agencies

The United Nations Charter assigns important responsibilities to the General Assembly and the Economic and Social Council for co-ordinating the policies and activities of the United Nations and the specialized agencies. To discharge these responsibilities, many important measures have already been taken and new techniques for co-operation are being established.<sup>1</sup>

These measures have included both formal agreements defining spheres of responsibility in order to facilitate co-operation between the United Nations and the agencies, and informal arrangements for consultation and co-operation in the solution of common problems. Various forms of liaison and reciprocal representation have been developed, and a standing committee of the chief administrative officers of the United Nations and of each of the specialized agencies (called the "Administrative Committee on Co-ordination") meets regularly to discuss problems of common concern.

The problem of administrative and budgetary co-ordination has demanded considerable attention at each session of the General Assembly. At the second session in 1947 detailed consideration was given to the possibility of co-ordinating the budgetary and administrative arrangements of the United Nations and the several agencies. In addition to a request to member states to ensure co-ordinated policies in their own administrative arrangements the Assembly approved two resolutions: the first referred to the specialized agencies a report and recommendation on the budgets and budgetary practices of the agencies prepared by the Advisory Committee on Administrative and Budgetary Questions; the second dealt primarily with the problem of co-ordinating activities and programmes but also raised important budgetary questions.

Among the more important recommendations in this second resolution was a request to the Secretary-General that, in consultation with the specialized agencies and the Advisory Committee, he should

- (a) prepare a report (i) recommending measures to achieve greater uniformity in the budgets of the specialized agencies, in order to provide a sound basis for comparison, and (ii) commenting on the advisability of improved budgetary co-ordination, including the possibility of eventually establishing a consolidated or common budget for the United Nations and the specialized agencies;
- (b) promote the development of similar budgetary, administrative and financial practices in the United Nations and the specialized agencies.

Reports were submitted to the third session of the General Assembly on these matters by the Economic and Social Council, by the Secretary-General, and by the Advisory Committee on Administrative and Budgetary Questions, indicating that substantial progress had been achieved in carrying out these recommendations. The Advisory Committee on Administrative and Budgetary Questions also submitted for consideration its Fifth Report (for 1948) relating to the 1949 budgets of the specialized agencies.

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<sup>1</sup> See also *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, pp. 143-144.



Since the subjects dealt with by these reports were closely related, it was decided that they should be examined concurrently at a joint meeting of the Second, Third and Fifth Committees of the Assembly.

The progress made in the development of priorities within the various organizations, in the elimination of overlapping, and in administrative and budgetary co-ordination was generally commended, though it was recognized that the Economic and Social Council still had an important part to play in furthering co-ordination of policy and programme planning.

The Joint Committee, after some debate, adopted unanimously a resolution submitted by the New Zealand delegation, as amended by the Canadian, U.S.S.R. and Norwegian delegations, which, *inter alia*:

- (1) requested the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions and the Administrative Committee on Co-ordination, to continue efforts to improve administrative and budgetary co-ordination between the United Nations and the specialized agencies, giving particular attention to the possibility of developing a joint system for external audit and for a common collection of contributions;
- (2) drew the attention of member states and the specialized agencies to the recommendations of the fifth report made in 1948 by the Advisory Committee on Administrative and Budgetary Questions;
- (3) called upon the Economic and Social Council to continue its examination of the organs having responsibility in the field of co-ordination with a view to suggesting further improvements and bringing to a minimum consistent with efficiency the number of such organs;
- (4) drew attention to the fact that the delegations of each Member State to the various United Nations sessions and meetings should follow consistent policies if co-ordination is to be achieved.

The final text of the New Zealand resolution was most acceptable to the Canadian delegation, since Canadian policy has consistently emphasized the need for continuous improvement of existing machinery and methods for co-ordination, and the avoidance of costly new machinery; and has also opposed the introduction of measures or techniques for co-ordination which might lead to interference with the functional autonomy of the specialized agencies.

The recommendations of the Joint Committee were adopted by the General Assembly in plenary session on November 18.

## 10. Permanent Headquarters of the United Nations<sup>1</sup>

In a resolution on December 14, 1946, the General Assembly accepted an offer made by Mr. John D. Rockefeller in December, 1946, "to give to the United Nations the sum of \$8,500,000 (U.S.), on certain terms and conditions, to make possible the acquisition by the United Nations of a tract of land in New York City in the area bounded by First Avenue, East 48th Street, the East River and East 42nd Street." Under the terms of acquisition of this site, the United Nations also obtained exclusive rights on the waterfront in order to permit building out to the United States Pierhead Line if this is desired. Excavation work on the site has begun. Plans call for buildings for a conference area, office space for the Secretariat, a library, exhibition halls, facilities for recreation of the staff and delegates, restaurants and parking facilities. The present plans also provide for buildings which will accommodate members of permanent national delegations and personnel of the specialized agencies which have their international headquarters in New York. Construction of buildings for these two groups has not the same urgency as space for the Secretariat and General Assembly delegations, and consequently has been given a lower priority in the Secretary-General's plans.

At the second session of the General Assembly a resolution was adopted authorizing the Secretary-General to negotiate and conclude an agreement with the Government of the United States for an interest free loan not to exceed \$65,000,000, for a term of not less than 30 years, repayable in annual instalments from the ordinary budget of the United Nations, the first payment to be made from the budget of 1951. This resolution also authorized the Secretary-General to proceed with the construction and furnishing of the headquarters as soon as the loan agreement was completed. In order that the Secretary-General might continue detailed architectural and engineering planning work, pending the coming into force of the loan agreement, the Secretary-General was further authorized to utilize during 1948 a sum not exceeding \$1,000,000 from the Working Capital Fund. The Canadian delegation to the second session of the General Assembly supported these financial arrangements for the construction of the headquarters of the United Nations.

In planning the construction of the permanent headquarters the Secretary-General has been assisted by a Headquarters Advisory Committee. This Committee is composed of sixteen member states, including Canada. On February 25, 1948, the Headquarters Advisory Committee approved a loan agreement which had been negotiated by the Secretary-General and representatives of the Government of the United States. This agreement was signed on March 23, 1948, by the Secretary-General and by the Permanent Representative of the United States to the United Nations. The loan agreement was approved by the United States Senate during the session of the 80th Congress, but did not receive approval by the House of Representatives prior to adjournment. However, on August 5, 1948, the House of Representatives, during a Special Session of Congress, approved it.

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<sup>1</sup> For previous discussions see *The United Nations, 1946*, Department of External Affairs Conference Series, 1946, No. 3 pp. 155-156 and *Canada at the United Nations 1947*, Department of External Affairs Conference Series, 1947, No. 1, p. 142.



The report of the Secretary-General on the permanent headquarters of the United Nations was examined by the Fifth Committee of the third session of the General Assembly. It was considered that the plans for financing, planning and construction were proceeding satisfactorily. The discussion in the Fifth Committee turned particularly to the clarification of the relationship between and individual responsibility of the Secretary-General, the Headquarters Advisory Committee and the Advisory Committee on Administrative and Budgetary Questions. There was general agreement that the Secretary-General alone was responsible to the Assembly in connection with arrangements for the headquarters; that the Headquarters Advisory Committee's function was to advise the Secretary-General; and that the authority and responsibility to the General Assembly of the Advisory Committee on Administrative and Budgetary Questions, in accordance with its terms of reference, were in no way affected or diminished in regard to questions pertaining to the headquarters.

At a plenary meeting on November 18 the General Assembly adopted the resolution submitted by the Fifth Committee on the United Nations headquarters. This resolution approved the report of the Secretary-General and expressed appreciation of the co-operation extended by the Government of the United States, the State of New York and the City of New York. The resolution also provided that the Headquarters Advisory Committee should be continued with the existing membership, and requested the Secretary-General to submit a further report on the headquarters to the fourth regular session of the General Assembly.





## **VII. Legal Questions.**





## VII. LEGAL QUESTIONS

### 1. Chilean Complaint against the U.S.S.R.

In October, 1947, the Government of Chile broke off diplomatic and consular relations with the U.S.S.R. on the ground that the Soviet Government had intervened in Chilean internal affairs by encouraging and supporting strikes and disorders. Accordingly, arrangements were made for the return of the respective diplomatic missions to their countries. However the Soviet Government refused to grant the Chilean mission in the U.S.S.R. an exit visa for the daughter-in-law of the Chilean Ambassador, Mrs. Lidia Lesina de Cruz, a U.S.S.R. citizen.

The Chilean Government decided to take retaliatory action by delaying the departure of the second group of Soviet Union representatives. The Soviet Government countered by refusing to allow the departure of the Chilean Ambassador in Moscow.

The matter rested there until the Chilean Government decided to bring it to the attention of the United Nations. On May 27, 1948, the Chilean Government asked the Secretary-General of the United Nations to place this matter on the provisional agenda of the third regular session of the General Assembly.

Since that time, the Chilean and Soviet Governments reached agreement on the simultaneous return (August 29, 1948), of their respective diplomatic missions. The son of the Chilean Ambassador has remained in Moscow under temporary visa.

The Government of Chile requested the inclusion of its complaint against the U.S.S.R. on the provisional agenda of the General Assembly in accordance with Article 14 of the Charter.

The U.S.S.R. objected to the inclusion in the agenda of the Chilean item, on the ground that its consideration would be illegal. The Government of the U.S.S.R. further denied that the action of which the Chilean Government complained was an infringement of basic human rights or the principles of the United Nations.

At the third session of the General Assembly, the Secretary-General suggested that the Chilean resolution be assigned to the Sixth Committee. An unsuccessful attempt was made to have it considered by the Third Committee on the ground that the subject was humanitarian rather than legal in character. Subsequently amendments by Uruguay and France were made to the Chilean resolution with the result that the case against the Soviet Union was defined as a violation of fundamental rights and human freedoms, and as being also "contrary to courtesy, to diplomatic practices and to the principle of reciprocity" and "calculated to endanger friendly relations between nations".

The Soviet delegate argued that the United Nations was not competent to deal with the matter as it was solely within the sovereign jurisdiction of the U.S.S.R. The Canadian delegate announced his intention to support the resolution and referred to the experience which Canada had had in obtaining exit visas for Soviet citizens married to Canadians.<sup>1</sup>

<sup>1</sup> The text of the Canadian statement is given in Appendix V-A, pp. 261-263.

The resolution as amended was adopted by the Sixth Committee. Twenty-six delegates voted in favour, 6 against and 6 abstained. Nineteen members of the Committee were absent when the vote was taken. The resolution will come before the second part of the third session of the General Assembly in New York, in April, 1949.

## 2. Genocide<sup>1</sup>

On December 9, 1948, at its third session, the General Assembly approved a Convention on the Crime of Genocide, defined as the "denial of the right of existence of entire human groups". This Convention is accordingly now open for signature and ratification.

This development has had a relatively long history in the United Nations. The subject was first introduced in the form of a draft resolution submitted by the delegations of Cuba, India and Panama at the second part of the first session of the General Assembly, in September, 1946. A resolution was at that session adopted by the General Assembly affirming that "genocide is an international crime condemned by the civilized world, for which principals and accomplices . . . are punishable". The resolution also requested the Economic and Social Council to undertake studies to prepare a draft convention for consideration at the next regular session of the Assembly. A draft was accordingly produced by the Council for consideration by the Assembly at its second session.

At this stage, the Assembly merely noted that many Governments had not submitted observations on the draft convention and asked the Economic and Social Council to continue its work taking into account that the International Law Commission had, at the same session, been charged with the formulation of the principles of the Charter of the Nuremberg Tribunal as well as the preparation of a draft code of offences against peace and security. The General Assembly also informed the Economic and Social Council that it need not await observations from all members but that it should submit a report and draft convention to the third session of the General Assembly.

Pursuant to this resolution, a draft Convention on Genocide prepared by the Secretariat was passed to the General Assembly by the seventh session of the Economic and Social Council. During the general debate at the Economic and Social Council the Canadian delegation expressed general approval of the draft Convention, but reserved Canada's right to move the deletion of Article III (on cultural genocide) at the third session of the General Assembly. Canadian opposition to the inclusion of "cultural" genocide in the convention was prompted by the consideration that it was neither within the Council's terms of reference nor properly included in a convention designed for the protection of human life.

The Sixth (Legal) Committee of the General Assembly, to which the matter was referred at the third session, examined the draft convention article by article during forty-four meetings held from October 5 to November 9. Of particular interest to Canada was the deletion by the Committee of Article III.

On December 9, 1948, the General Assembly, as has been said, adopted the resolution recommended by the Sixth Committee to which was annexed the Convention on Genocide.<sup>2</sup>

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<sup>1</sup> See also *The United Nations, 1946*, Dept. of External Affairs, Conference Series 1946, No. 3, p. 141, and *Canada at the United Nations, 1947*, Dept. of External Affairs, Conference Series 1947, No. 1, p. 164.

<sup>2</sup> For the text of this resolution and of the convention see Appendix V-B, pp. 263-267.



An interesting feature of the Convention is the provision in Article VI, which states that persons charged with genocide shall be tried either by an international tribunal "or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction". Moreover, the newly organized International Law Commission has been asked by the General Assembly to consider the possibility of establishing a Criminal Chamber of the International Court of Justice.

### 3. Privileges and Immunities<sup>1</sup>

#### (a) General Convention, Privileges and Immunities of the United Nations

The Convention on the Privileges and Immunities of the United Nations was drawn up in 1946 in accordance with Article 105 of the Charter of the United Nations. The General Assembly recommended that all Member Governments accede to the Convention. As of November 30, 1948, twenty-five countries, including Canada, had acceded.

The Privileges and Immunities (United Nations) Act (II George VI) of the Canadian Parliament passed in 1947, was the means by which Canada fulfilled its obligations which would arise when the Canadian Government acceded to the Convention. The Instrument of Accession of the Government of Canada was deposited on January 22, 1948, under Order in Council PC 3946 of October 1. However, the Act included a reservation "that exemption from taxation imposed by any law in Canada on salaries and emoluments shall not extend to a Canadian citizen residing or ordinarily resident in Canada." This reservation was, of course, included in the Canadian Instrument of Accession.

#### (b) Approval of Supplementary Agreements with Specialized Agencies concerning the use of the United Nations laissez-passer

On February 25, 1948, the Economic and Social Council approved a resolution requesting the Secretary-General:

"(a) To conclude with any specialized agency which may so desire a supplementary agreement to extend to the officials of that agency the provisions of article VII of the Convention on the Privileges and Immunities of the United Nations, and to submit such supplementary agreement to the General Assembly for approval; and

"(b) Pending the entry into force of such agreement, to make arrangements for the use of the United Nations laissez-passer by officials of the specialized agency concerned, such laissez-passer to be issued on a provisional basis for use only in those countries which have previously undertaken to recognize the validity of laissez-passer so issued."

The third session of the General Assembly approved in plenary session supplementary agreements concerning the use of the United Nations laissez-passer concluded by the Secretary-General with the International Civil Aviation Organization, the United Nations Educational, Scientific and Cultural Organization and the Food and Agriculture Organization.

At present, Australia, Guatemala, Luxembourg, Iceland, India, Dominican Republic, Canada (insofar as the officials of the ICAO are concerned) and Lebanon (insofar as the third conference of UNESCO was concerned) have undertaken to recognize the validity of the laissez-passer issued under such conditions.

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<sup>1</sup>For a full summary of the discussions in 1947 on Privileges and Immunities see *Canada at the United Nations 1947*, Department of External Affairs Conference Series 1947, No. 1, pp. 162-163.

In accordance with a clause which has been included in the agreements between the United Nations and the International Bank for Reconstruction and Development, the International Monetary Fund and the International Telecommunications Union, special arrangements are to be made for the use of the United Nations laissez-passer by the officials of these agencies.



#### 4. Registration and Publication of Treaties and International Agreements<sup>1</sup>

Under Article 102 of the Charter, member states are required to register with the Secretariat "every treaty and international agreement" to which they become party, and the Secretary-General of the United Nations is required to publish such treaties or agreements. The Secretary-General presents each year to the General Assembly a report on registration of treaties by member states.

It is a matter of some difficulty to define precisely the term "international agreement". This difficulty has existed since registration of agreements began under the League of Nations in 1920; no general agreement has yet been reached on the precise meaning of the term.

The problem of defining international agreements received only incidental mention in the Secretary-General's report of August 17, 1948, on registration of treaties. The report of the Secretary-General was considered by the Sixth Committee of the third session of the General Assembly. A supplementary statement was made by the Secretariat to the effect that in spite of problems of translation, staff, and budgetary appropriations, between December 4, 1946, and October 1, 1948, 420 registrations or recordings of treaties had been made.

The Sixth Committee adopted a draft resolution proposed by the Belgian delegation to ensure that registered treaties are published as soon as possible and that the highest standard of translation is maintained. The Sixth Committee also adopted a United States resolution which referred to the failure of members of the United Nations to register treaties and called upon each member to fulfil this obligation.

On November 3, 1948, the plenary session of the General Assembly adopted, without objection, these two resolutions recommended by the Sixth Committee.

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<sup>1</sup> See also *Canada at the United Nations, 1947*, Department of External Affairs, Conference Series 1947, No. 1, p. 168.

## 5. The International Court of Justice

During the latter part of 1947 two cases, one for judgment and one for advisory opinion, were referred to the International Court of Justice. These are the only cases which have been referred to the Court since its inception, and hearings on both were held in 1948.

The first of these, the Corfu Channel case, arose from a dispute between the United Kingdom and the Albanian Government over damage sustained by two British warships in the Corfu Channel in May, 1946. As yet only a preliminary objection by Albania, that the Court did not have jurisdiction, has been dealt with. All fifteen regular judges (the judge nominated by Albania to hear the case dissenting)<sup>1</sup> rejected the objection and decided that proceedings should continue.

The second case arose from a request by the General Assembly that the Court give an advisory opinion on Article 4 of the Charter of the United Nations dealing with the admission of states to membership. The Court held (with six judges dissenting) that no member may qualify its affirmative vote for the admission of a certain state by a condition that another state be also admitted, or otherwise attach conditions not laid down in Article 4.

During 1948, the following seven states accepted the compulsory jurisdiction of the Court: Honduras, Pakistan, Belgium, Switzerland, Hyderabad, Brazil and Bolivia, the last two without reservations.

Switzerland accepted the compulsory jurisdiction of the Court on July 28, 1948, and became the first state not a member of the United Nations to become a party to the Statute of the Court. The Security Council recommended on September 28 that, in accordance with Article 4(3) of the Statute of the Court, the General Assembly should allow Switzerland to nominate and elect members of the Court. The Assembly approved this recommendation on October 8 and thus Switzerland participated in the election of judges on October 22.<sup>2</sup>

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<sup>1</sup> Article 31(2) of the Statute of the International Court of Justice provides "If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5."

<sup>2</sup> See above Section I, Chapter 5, p. 32.

## VIII. Appendices.





## Appendix I

### A. Statement by the Chairman of the Canadian Delegation in the Opening Debate in the General Assembly, September 28, 1948.

It affords me particular pleasure to say to the Government and people of France how deeply the Canadian delegation appreciates the choice of Paris as the place of meeting of the Third Assembly of the United Nations. This city, over many centuries, has been a radiant centre of political and cultural achievements. No country represented here is so remote from Paris, nor so distinct in tradition from France, that it has not been greatly influenced by movements of enlightenment and progress which have had their origin in this city and in this country. Of no country and of no people is this truer than of my own. One third of the people of Canada have ancestors who came from the shores of France. They still speak its language and share the traditions of French civilization.

As I listened to the eloquent and moving speech of the President of the French Republic at the opening of this Assembly, and as I recalled the great services which M. Vincent Auriol has rendered, and is rendering, to his country, I could not but reflect upon the continuing significance of the role of France among the nations. After all she has suffered and endured in two wars, France has again taken her place in the front rank of the world community. Canadians never doubted that France would rise again to the full stature of her glorious past.

What France records of man's ability to develop political freedom within the framework of organized society should remind us that, in the work of the Assembly, we are carrying forward a great tradition. It should strengthen our conviction that, through the instrument of the United Nations, we also, in our day, have an opportunity to develop political ideas, and forms of political organization of service not to one nation only or to a few nations, but to mankind.

This Assembly of the United Nations affords an opportunity for judging to what extent the United Nations has thus far found it possible to further the great purposes to which it is dedicated. We have now an opportunity to measure the work done, and to survey work that remains to be done. This Assembly should be made the occasion for a real audit of achievement. It should equally be made the occasion for a searching analysis of failure, where such has occurred.

If we are true to ourselves, we will admit that there is not one among us who has not been discouraged by the difficulties which have beset the path of our new organization, and who today is not disturbed by doubts and uncertainties. Too many of us have assumed that the high aims and purposes of an organization which seeks the betterment of mankind throughout the world could not fail to have a universal appeal. We have not been sufficiently conscious of the realities of the world situation.

I for one believe the United Nations has attempted to accomplish far too much, in far too short a time. We have overlooked the fact that any world institution, especially one which aims at effective co-operation among all nations, is certain to be of slow growth. It is true that nature never

rests. It is equally true that nature never hastens. One reason why the international institutions the United Nations have created since the close of war are not working in the way we hoped they might, is that the sense of a world community of interest on which these institutions must rest, and which, in themselves, they tend to create, has not yet been developed. It may take a long time to develop.

The United Nations, I feel, must seek to close the gap, already far too wide, between the purposes which are within its reach, and those which exceed its grasp. We must not dissipate the moral and other resources of a world which desperately needs peace on too many secondary objectives, however desirable they may be in themselves.

We do well to recognize that the advance of science demands, in an increasingly urgent and imperative way, the existence of a community sense which is world wide. In seeking to create this sense of a world community, the United Nations is certain to be confronted by many difficulties. In thinking of these difficulties, I have sometimes wondered whether the experience in co-operation and association of the countries of the Commonwealth of Nations, to which Canada is proud to belong, has not some lessons, both positive and negative, which might be of help in meeting like difficulties in the development of a world community sense.

It is true the countries of the Commonwealth have never had a charter, have never appointed a Secretary-General, and have never taken a decision by a simple or two-thirds majority. They have nevertheless, over many years, worked together with an increasing appreciation of interests they have in common. It is true they have by no means solved all their difficulties; some of these difficult situations have found their way on to the agenda of the United Nations. Nevertheless, by and large, it is true that the countries of the Commonwealth do try to understand each other's problems, institutions and points of view. Between themselves they have sought agreements by accommodation and mutual forbearance. Without positive formulation, they have contrived to share in large measure a common point of view. This community sense they have developed despite the differences in language, race, tradition, and religion which characterize the member states. In this more limited experiment in international political association there are some things which may be of value in shaping the development of the United Nations.

By our presence here in Paris, we are reminded not only of what may be accomplished through the combined efforts of nations, but also of the peril which again threatens civilization.

The conflicts of the last eighty years have flowed back and forth across this land of France and have exacted an appalling penalty of its people. Since the latest and greatest of these conflicts, the nations have set themselves the double task of reconstructing the shattered political and economic life of Europe, and of preventing a recurrence of such conflicts. These are aims towards the realization of which every nation might have been expected to co-operate wholeheartedly. It must frankly be admitted, however, that we have cause for misgiving about the progress of both these undertakings.

The reconstruction of Europe, stimulated by aid from countries which suffered less directly from the war, and carried forward by the co-operative effort of the peoples of Western Europe, has, fortunately, made some



progress. On the other hand, rather than participate in this work of reconstruction, from which they themselves would benefit, certain nations have chosen not merely to stand aside, but, wilfully or otherwise, to misrepresent and obstruct the efforts of others. This obstruction in the task of reconstruction is unfortunately but one example of what would appear to be a policy of deliberate hindrance of the political and economic reorganization of the postwar world. In so far as this may be so, we cannot be otherwise than profoundly concerned for the well-being of the entire work of reconstruction and peacemaking which has been undertaken since the war.

It will come as a painful surprise, if not as a shock, to my fellow countrymen in Canada to learn that anyone addressing this Assembly could have left the impression that members of the United Nations had ignored the interests of the peoples of those countries which suffered most from the war, and from the severe hardships which were imposed by the Hitlerites. Such, certainly, was the impression left on my mind in listening to the address of the delegate of the U.S.S.R. on Saturday morning last. I find the impression left on others was similar to my own.

The specific references, it is true, were to the Economic and Social Council's Economic Commission for Europe, but the impression conveyed was that the United Nations had been indifferent to the important interests of the people of those countries which had suffered most. This certainly is not true of the United Nations as expressed in the contributions of its member nations.

I am sure the Assembly would be glad to hear from the representatives of Poland, Czechoslovakia and Yugoslavia what quantity of farm implements, how many motor trucks, how many locomotives, to say nothing of food supplies and medical aid, their countries have received, since the end of the war, by gift and credit, from countries, members of the United Nations, that have sought to help in the common task of reconstruction.

I speak with some knowledge and feeling on this question because the people of Canada have taken their full share of the load of providing relief and assistance for the war-shattered countries of Europe — through mutual aid, through military relief, through UNRRA, as well as through direct governmental credits of over 500 million dollars for the continent of Europe. I can speak for the Government of which during these years I have been the head, and which recommended to Parliament the necessary appropriations. I can speak for the Parliament of Canada which made the appropriations possible, and for the people of Canada who supported these policies for the rehabilitation of the economy of war-devastated countries, and supplemented them by sending millions of dollars more, through private and voluntary channels, for the relief of the needy and destitute. Their single purpose was to assist the peoples who had suffered most from the war to rebuild their homes, restore their agriculture, restart their industries—so that their countries could take their places again in the world economy and world community to which we all belong.

What I have said about the Canadian effort, and the spirit that inspired it, holds good, I believe, in every particular, for the many times greater contribution in each of these fields that the United States has made, and continues to make, towards the recovery of Europe's economic independence and well-being.

The second major undertaking of the postwar world has been the establishment of machinery for the settlement of international disputes and for the maintenance of peace. Great hopes have been entertained that the establishment at San Francisco of the United Nations would mark the beginning of a world organization which would provide real security. Today, this task stands in equal peril.

The settlement of international disputes, through machinery provided by the United Nations, has made some progress, though it is still far from having achieved success. Its success or failure would appear to have been dependent upon the extent to which the application of the veto has been in accordance with the general consensus of view of the member nations. In areas where it is clear that the veto has not been applied to further the special interest of one or more member nations rather than the general interest, procedures of negotiation and compromise, mediation and adjustment have been undertaken, and have proved helpful and constructive. However, in every area, and on every subject where it is obvious that the veto has been applied to further some particular interest, rather than the general interest, the process of compromise and adjustment has been ignored, and little or no progress as a consequence has been made.

The stalemate which has resulted from this state of affairs affects many situations which are of direct and imperative concern in the life of all free nations. Its continuance cannot fail to lead to threats to freedom arising not only from aggressive aims at territorial expansion, but, as well, from sinister plans to undermine the structure of free government within the borders of individual nations.

There is no nation, however great, which, in a world such as the one in which we live today, can defend its freedom solely with its own resources. All nations are, therefore, interested in security. Where existing machinery for the prevention or settlement of international disputes has proven or is proving inadequate to effect security, additional means must be sought.

Security for individual nations, under such circumstances, can be assured only by the effective co-operation, and the united power of those nations whose determination to maintain their freedom constitutes a strong bond of community between them. It is not surprising therefore that certain nations, knowing that their security depends on collective action in some form, and which are not yet able to achieve that security on the universal basis which the United Nations contemplates, should, pending this large accomplishment, seek to achieve their security on a less than universal basis.

As nations, we are all members one of another. The good of each is bound up in the good of all. This sense of community of interest cannot be too highly, too rapidly, or too widely developed. It is vital to the defence of freedom to maintain a preponderance of moral, economic and military strength on the side of freedom — all else is wholly secondary. To direct its energies to this imperative end seems to me to be the supreme task of the United Nations today.

There is a further all-compelling reason why a world community sense cannot be too completely developed. I mean, of course, the urgent necessity for the effective control of atomic energy. Scientific achievements have in recent years placed this terrible weapon of destruction at the disposal of mankind. The processes by which atomic energy is released are now well



known to the scientists of all nations. The ability to make and release the atomic bomb will, in the course of time, be available to any nation which possesses and devotes sufficient skill to that purpose. The international control of atomic energy might change it from a force of terrible destruction into a power which could greatly benefit the whole of mankind.

In the presence of the menace which atomic energy constitutes, every nation, in the interest of its own people as well as those of other lands, cannot strive too earnestly to ensure this mighty transformation. The hope of the world is, I believe, centred today in the United Nations as the one world organization capable of establishing this international control.

In his address to this Assembly last Saturday, the representative of the U.S.S.R. said that after thirty months of work by the Atomic Energy Commission there had been no positive results, that the work of the Atomic Energy Commission had remained fruitless. He sought to place the blame on the United States for the failure, thus far, to bring about the international control of atomic energy. I do not think this is borne out by the facts. The Government of Canada has taken part in the important discussions and negotiations on this subject since their inception. I am therefore able to speak with some knowledge of the facts.

The facts show conclusively that not only has the United States striven earnestly and hopefully for a solution, but that, subject to proper safeguards, they have unhesitatingly offered to give to the world the far-reaching advantages which came to them in consequence of their vast efforts in this field during the late war.

Two years ago, when the meetings of the Atomic Energy Commission were commenced, no one was certain that it would be possible to produce a workable plan in the international control and development of this great source of energy. A plan for this purpose has, however, been developed. The nations of the world, which now possess the resources and the skill for the production of atomic energy, have stated their willingness to take part in the operation of the plan.

The representative of the U.S.S.R., in denying that substantial progress has been made toward the working out of arrangements for the international control of atomic energy, stands almost alone in this view. Every other country which has participated in the work of the Atomic Energy Commission established by this Assembly at its first session in London, which has been free to express its conclusions, has joined in full acceptance of the majority report of the Commission.

The report of the Commission will come before the Assembly later for detailed study and approval. At that time, members of the Canadian delegation will develop the reasons for Canada's acceptance of its proposals. In our opinion they are based on the inescapable facts of atomic energy, and constitute the only method by which these new dread forces may properly be brought under effective control in the interest of peace and well-being of all the peoples of the world.

In international relations, as, indeed, in all human relations, attitude and will are of first importance. A solution of most problems is not difficult to find where men or nations are really anxious to discover common ground, and bring their wills to that task. Where, however, there is no will to peace, and an attitude of antagonism rather than of co-operation is deliberately fostered, the appeal soon becomes one to force, rather than to



reason. Wherever the appeal is to force, security, which is essential to the preservation of freedom, demands a preponderance of strength on the side of freedom. This is necessary, not from any thought of aggression, but to save from destruction the very nations and peoples who have at heart the aim of creating better conditions for others as well as for themselves.

The problems of today are not going to be solved by any formula. They will be solved only to the degree that each individual does his part, and each nation does its part to further the common good, by an attitude of good-will towards all. In this particular, example is all powerful. Patience and forbearance are not signs of weakness. They are the hall-marks of strength.

If this world of ours is to escape destruction, international relationships, characterized by antagonism and coercion must make way for a world community which recognizes that "over all nations is humanity". The habit of mind which resolves problems in terms of class, or race or of national prestige must be abandoned, and its place taken by a world outlook.

Let us not be deceived. The terrible truth is that the nations have yet to decide which is to prevail: the law of blood and of death, ever imagining new means of destruction, and forcing nations to be constantly ready for the battlefield; or the law of peace, work and health, ever evolving new means of delivering man from the scourges which beset him. Mankind has still to discover whether violent conquest or the relief of humanity is to triumph in the end.

Whatever may be said by or of individuals, the peoples of the world — in every community — ardently desire world peace. Today they are looking anxiously to all the representatives of all the nations at this Assembly, to work together towards the fulfilment of this great purpose. The proceedings of this Assembly may help to determine whether the world is to be plunged into the darkness of anarchy, or whether mankind is to continue to move towards the light of ordered freedom and universal peace.

#### **B. Extract from Statement of the Secretary of State for External Affairs, in the House of Commons, April 29, 1948 (Review of World Affairs).**

On repeated occasions the government has indicated that collective security through the operations of an effective international organization was a primary objective in the foreign policy of this country. This continues to be our policy. We are fully aware, however, of the inadequacy of the United Nations at the present moment to provide the nations of the world with the security which they require. The realities of this situation must be faced, and the policy of the government in respect of it may be summarized very briefly.

In the first place we shall not encourage or foster any activity which at this moment might provide any state with a legitimate—I emphasize the word "legitimate"—excuse to withdraw from the United Nations. On the other hand, we shall not refrain from action which we know to be right merely because it displeases certain other members of the United Nations. We shall continue to give every assistance to constructive efforts to make the United Nations into the instrument for security and co-operation which it was originally designed to be, and in the meantime utilize its present possibilities to the fullest extent.

We will also oppose demands on the United Nations which at the moment are too heavy for its resources. It should not, for instance, attempt to undertake administrative responsibilities and police activities in various parts of the world before it has been given the means which may be required for carrying out those responsibilities.

We must realize also that the effectiveness of the United Nations is at the moment greatly reduced by the divisions which have grown up between the countries of Eastern Europe and the countries of the rest of the world. Until there has been some measure of settlement of the issues that appear to divide the world, we should not expect too much from the United Nations in its present form and organization. No one should expect, for instance, the machinery of the United Nations to produce a solution for problems on which the two most powerful nations of the world may have diametrically opposed views that cannot be reconciled.

During the last two years our faith in the United Nations as an effective organization for peace and security has been pretty severely shaken. What is unshaken is our determination to make of it, or within it, an effective organization for these purposes. Unshaken also is our faith that this can be achieved. It is therefore important that the United Nations be kept in existence, and that we make every possible use of the very high degree of vitality which, in spite of these divergent opinions, it has shown. There are, for example, subjects such as the dispute in Kashmir, to which I have referred, and the difficulties which have arisen in Indonesia, which are not directly within the area of conflict between the Eastern European states and the rest of the world, and where the machinery of the United Nations has been used very effectively.

Our willingness to stand for, and our ability to secure, election to the Security Council last September was an earnest of our desire to play our full part in the United Nations. That part involves us in discussions and decisions on matters which once may have seemed to be remote from our interests. Although we know, as I have already said, that this remoteness is illusory, nevertheless, this does not alter the fact that during the next year and a half Canada, as a member of the Security Council, will at times have to declare its position publicly on certain matters which previously might not have come to the attention of the government at all, or might have been dealt with confidentially through diplomatic channels.

The position of a power of the middle rank on the Security Council is under any circumstances a difficult one. A small power is in a sense by its very smallness relieved from much of the responsibility which participation in decisions involves, and which the implementations of such decisions requires. At the other extreme the great powers can protect their positions with the veto. A "middle country" such as Canada, however, is in a different position. Its economic strength and political influence are of importance, and its prestige is high. The material and moral contribution which Canada can make to collective action, as the last two wars have shown, is significant. The judgments which the Canadian Government express on United Nations matters must therefore be made with care and a sense of responsibility, especially since Canada is a country the views of which are taken seriously and which has the reputation of conscientiously carrying out the commitments into which it has entered.

Canada's position on the Security Council, as a middle power, would be an important one in any circumstances. The special nature of our rela-



tionship to the United Kingdom and the United States complicates our responsibilities, though it also enlarges our opportunities for influencing developments. Canada will be expected by some to follow the lead of the United Kingdom; by others to follow the lead of the United States. The fact that these two states are now in general agreement on fundamental questions eases but does not remove our particular difficulties. Unfriendly observers will write us off as a satellite of both, hoping in this way to minimize the effect of our independent action. More objective observers will tend to assume that it will be hard for Canada to follow a policy of its own. The fact that Canadian interests will often naturally be identical with those of the United Kingdom and the United States, without any suggestion or influence from these states, in a sense makes Canada's position more ambiguous. It will not be easy to secure credit for independence and honesty of argument and decision. Nevertheless we will continue to make our decisions objectively, in the light of our obligations to our own people and their interest in the welfare of the international community.



## Appendix II

### A. Canadian Statement, Ad Hoc Political Committee, November 22, 1948: Admission of New Members.

The Canadian delegation, both in the Security Council and at previous sessions of the General Assembly, has consistently maintained that the only qualifications which are necessary for a state to be admitted to membership in the United Nations are those which are set forth clearly in Article 4, paragraph 1, of the Charter. Thus, an applicant must be a state, must be peace-loving, must accept the obligations of the Charter, must be able to carry out these obligations, and must be willing to do so.

In our opinion, Mr. Chairman, these qualifications are exhaustive. No other qualifications are relevant to the question of admission of a state to membership in the United Nations. Any attempt to impose other conditions constitutes, in the opinion of my delegation, a violation of Article 4 of the Charter which is quite specific and definite. In the past, certain members of this organization have attempted to qualify their support of certain applicants for membership on considerations which, to say the least, were irrelevant and therefore contrary to the Charter. I refer for example to the question of whether or not an applicant was a belligerent in the war, or has diplomatic relations with certain other members of the United Nations. Both these considerations have, of course, nothing whatsoever to do with the question as to whether or not a state is qualified for membership in the United Nations at the present time. Nevertheless, these two conditions have, in the past, been cited as reasons for non-support of certain membership applications.

Then again, in the past, certain States have attempted to trade in this matter of membership. They have said: "If you support States A, B, C, and D, then I will support State E". "If you do not support States A, B, C, and D, then I will not support State E". I need hardly say with what concern the Canadian delegation looks upon this type of dealing in the all-important matter of membership applications. It is not only deplorable, it should not be associated with the name of any present member of the United Nations in good standing.

The International Court of Justice, on May 28 of this year, handed down an Advisory Opinion on the Conditions of Admission of a State to Membership in the United Nations. This was given as a result of the General Assembly Resolution of November 17, 1947, which requested the Court to give its opinion on this question. As all members are aware, the majority opinion of this distinguished body of international jurists was that the conditions for membership as set forth in Article 4 (1) of the Charter "constitute an exhaustive enumeration and are not merely stated by way of guidance or example. The provision would lose its significance and weight, if other conditions, unconnected with those laid down, could be demanded. The conditions stated in paragraph (1) of Article 4 must therefore be regarded not merely as the necessary conditions, but also as the conditions which suffice." Surely we cannot ignore this majority opinion which was handed down only after the most careful consideration of all aspects of the question.

Let it not be thought for one moment that we consider the conditions as set forth in Article 4 (1) to be easy to fulfil. These are conditions which were carefully thought out at San Francisco before they were decided upon. It is not an easy matter to decide whether a state is "able and willing to carry out" the obligations of the Charter. Yet surely if, after a careful objective examination of the applications of States by the General Assembly, more than two-thirds of the present Members of the United Nations, that is more than 39 fully-qualified States, come to the conclusion that an applicant is so qualified, then that state has the right to be admitted to our organization without further delay. This surely constitutes the considered judgment of world opinion. If this does not suffice to judge whether an applicant is or is not qualified according to Article 4 (1) of the Charter, then what does suffice?

You will recall that during last year's session of the General Assembly, the Canadian representative proposed that the five permanent members of the Security Council should waive their right of the veto in the case of applications for membership. I believe that I am right in saying that the representatives of the U.K., U.S.A., France and China indicated their willingness to accept this suggestion, but the representative of the Soviet Union refused to do so. Thus peace-loving States, entirely qualified to become members of the United Nations, are prevented from doing so because of the attitude of the U.S.S.R. The peoples of the world will not forget this. Certainly, the peoples of such states as Italy, Ireland, Portugal, Austria, Transjordan and now Ceylon, the latest victim of the Soviet veto, will not forget this in a hurry.

I might mention a word about Ceylon. Here is a new independent Asiatic state, ready, willing and capable of becoming a member of the United Nations. That Ceylon is a State constitutionally capable of carrying out its obligations is evident from an examination of Working Paper No. 13 and other information which was submitted by the Secretariat to the Security Council on June 24, 1948. Additional information was submitted by Ceylon to the Security Council on August 5 (Document S/951). Ceylon is now a fully independent and self-governing member of the British Commonwealth of Nations under the terms of the Ceylon Independence Act, 1947, and other parallel documents. Yet one country alone, the Soviet Union, blocks Ceylon's admission to the United Nations. The Charter never envisaged such a misuse of its principles and the Canadian delegation deplores and regrets this attitude.

In conclusion, Mr. Chairman, we would like to reserve our right to express our views later on the specific proposals which are submitted to this Committee.

#### **B. (1) Extracts from Canadian Statement, First Committee, September 30, 1948: Atomic Energy.**

...When the Commission first met in New York in June, 1946, it was presented with two different plans for the control of atomic energy. One was proposed by the United States and the other by the U.S.S.R.

The plan which was the result of the work of the Commission has been submitted to the General Assembly and carries the endorsement of nine out of eleven present members of the Commission. It is based on the proposals originally put forward by the United States. In brief, this plan is a great project for international collaboration on a scale far exceeding anything previously attempted.



It calls for the formation of an international atomic energy authority which would own all uranium and thorium in trust for the nations of the world from the time these substances are taken from the ground, and which would control the mining of all such ores. Production would be strictly related to consumption, and there would be no accumulation of stocks to cause anxiety. The authority would own, operate and manage all facilities handling dangerous amounts of these fissionable materials, and thus would control directly all the atomic energy activities in all nations which might become a potential menace to world security.

A licensing and inspection system is contemplated for activities of a less serious character, and it is provided that the authority would foster beneficial uses and research in nationally owned establishments which would be limited, of course, to non-dangerous quantities. It is proposed that this system of control should be set up by stages, and after it is fully in operation the manufacture of bombs would cease and existing stocks would be disposed of and the explosive material reclaimed for peaceful use. The authority would then be given all available information from all sources regarding the production of atomic energy and similar related matters.

In contrast with these proposals which carry the majority support, the U.S.S.R. representatives have proposed a plan which differs fundamentally. They envisage the immediate outlawing of the atomic bomb and the destruction of all existing stocks of weapons within a three months period, and to this end the representative of the U.S.S.R. has tabled a draft convention which he has said should be negotiated forthwith as the first step towards the establishment of international control. The representative of the U.S.S.R. has refused to even pledge his country to any second step in the development of control, and to us it seems that the idea that the menace to world peace which is presented by the atomic bomb could be dispelled by the mere signing of an agreement to prohibit its use is very unreal indeed. Certainly, the experience of the last twenty-five years has shown that international agreements alone are not sufficient to safeguard the peace. The prohibition by itself of the use and manufacture of the atomic bomb at the present time would not contribute to security—it would merely most seriously reduce the military strength of the United States of America, which is the only nation now in possession of atomic bombs, at least on any scale which would suffice to make atomic war. It would be a measure of unilateral disarmament which would give no assurance that any country engaged in the production of atomic energy would or could not use the bomb in the future, because the fissionable material which is the essential substance for such peaceful applications as the development of atomic power is also the explosive element of the bomb, and in the absence of an effective system of control could readily be developed from a peaceful to a military use by a nation secretly preparing to wage atomic war.

For these reasons, most members of the Commission are in agreement that the prohibition of the use and manufacture of atomic bombs should form part of an over-all control plan so that when such prohibitions are put into effect they would be accompanied by the application of safeguards such as international inspection of all countries on a scale and with a thoroughness sufficient to ensure that no secret activities are in progress. The prohibition of atomic weapons standing by itself is little more than a pious hope; but prohibition as part of a comprehensive, thorough and



effective system of control, starting with the international ownership of all fissionable materials in trust for the nations of the world, is something else again.

This seems so elementary that it has been very difficult to realize that U.S.S.R. is really serious in its simple prohibition convention. It was felt in the Commission that no doubt whatever must be left on this point, and so during this last year more than half the time and the attention of the members of the Commission has been devoted to a meticulous re-examination of the U.S.S.R. proposals in detail, in order to make abundantly certain that no possible misconception of their purpose should stand in the way of agreement. However, it is now evident there is no misconception and there thus remains a wide gap between the views of the U.S.S.R. now supported in this Commission by the Ukrainian S.S.R., and those of the remaining members of the Commission who have rejected the U.S.S.R. proposals as "completely ignoring the existing technical knowledge or providing an adequate basis for effective control and the elimination of atomic weapons from national armaments".

In contrast to the U.S.S.R. proposals, the plans which have been evolved by the majority are based on a strict acceptance of the scientific facts as to the very nature of atomic energy, and on the conclusions which follow logically from these facts. After more than 240 meetings, the Commission has decided that "No other solution will meet the facts, prevent national rivalries in this most dangerous field, and fulfil the Commission's terms of reference".

Such is the impasse which has developed in the Atomic Energy Commission, and such is the state of affairs which made it evident that the issue raised in the Commission should be taken to the General Assembly of the United Nations. In this Committee and in the meetings of the General Assembly at this session, it will be the hope that the majority proposals may be fully explained to the nations which previously have not had an opportunity to study these grave questions in detail. It will be the hope also that these proposals may be dealt with objectively, as their importance requires, and that the conclusions which are reached in the General Assembly will be based strictly on the merits of the case. The issues in question are far too grave and far too serious for the future of the world to permit them safely to be confused in discussion with other matters which have not had the benefit of the detailed, careful and meticulous preparation which the Atomic Energy Commission has given to the question of atomic energy. . .

## **(2) Extract from Canadian Statement, General Assembly, November 4, 1948: Atomic Energy.**

In the course of the long debate on atomic energy which has taken place in this Assembly, the issues have been made quite clear. I wish now to re-state in the form of a series of brief propositions the position which the Canadian Government holds in regard to atomic energy, and because of which the Canadian delegation will give its full support to this resolution.

In the first place, the Canadian Government believes that it is possible to establish a practicable system for the control of atomic energy which will protect the nations of the world from the dangers of atomic war and which will give freedom to use atomic energy for peaceful purposes. This

belief is demonstrated by the time and attention which the Canadian delegation has devoted to the work of the Atomic Energy Commission and it is demonstrated also by the anxiety of the Canadian Government that the work of the Commission should continue and that the difficulties standing in the way of agreement between nations should be removed. Canada possesses, as is well known, extensive resources of the raw materials from which atomic energy may be derived, and Canadian scientists and engineers have acquired special skills and knowledge in the field. These conditions made possible for Canada a considerable national development of atomic energy. We believe nevertheless that full benefits can come only through the organization of this development on an international rather than on a national basis.

My second proposition is the following: atomic warfare cannot be prohibited nor the international development of atomic energy ensured except on a basis which provides proper security for all nations. The principles through which these two objectives may be realized have been set forth in the majority reports of the Atomic Energy Commission. These principles have been arrived at by a long and arduous process of study and discussion in which representatives of seventeen nations have been engaged. Fourteen nations have agreed in the majority reports and only three have dissented. The Canadian Government, which was represented in the discussions in which these principles were evolved, adheres to them firmly, and confidently recommends their acceptance to other members of the United Nations as the "necessary basis" from which progress can be made towards the solution of the complicated problems of the prevention of atomic warfare and the freeing of the world's resources of atomic energy for peaceful purposes.

In the third place, the Canadian Government believes that the stage has been reached in the work of the Atomic Energy Commission where, before further significant progress can be made, clear direction must be given to the Commission by the Assembly. It was from this General Assembly in its first session that it derived its original mandate. The resolution which is now before the General Assembly gives confirmation to the conclusions which have already been accepted by a majority of the members of the Commission. On the strength of this resolution it will be possible for the members of the Commission to return to their task and to proceed to such further studies as are practicable in the confidence that they will have the support which comes from the acceptance, by a majority of the nations of the world, of the basic conclusions which they have already reached.

Before the Atomic Energy Commission can go far in this work, however, it will be necessary to clear the ground of present difficulties and misunderstandings which make agreement on principles impossible amongst the powers most directly concerned. It is therefore proposed in this resolution that the nations which, by reason of their special concern, first brought the question of the control of atomic energy to the attention of the United Nations and who are referred to as the "sponsors", shall consult together to determine if there exists a basis on which the work of the Atomic Energy Commission may be pressed forward to completion by the preparation of a draft treaty or convention. The sponsors will, of course, be required to consider this problem in all its aspects. Speaking for the Canadian delegation, it is our intention to press for a meeting of the sponsors at the earliest



possible moment, and to press also that representation of the six nations at this meeting shall be on the high level appropriate to the consideration and resolution of the political difficulties which exist. If, as a result of these consultations, the sponsors are able to report back to the Assembly, either in a regular session or, if necessary, in a special session, that some clarification or adjustment of the existing position will enable the world to proceed towards a solution of the problem of the control of atomic energy, the Canadian delegation will be the first to welcome that development and give its support in the Assembly to a directive which might then be issued by the Assembly to the Atomic Energy Commission. In the meantime the Canadian delegation will use its best endeavours to contribute to such work as the Atomic Energy Commission may find it useful and practicable to undertake. I would like to make it quite clear that we believe the sponsors should have the responsibility of removing the political difficulties so that the Commission may proceed with the solution of the technical difficulties which are outstanding.

My final proposition is this. The problem of atomic energy is so complicated and the issues are so fateful that the world must not be led into the belief that any simple solution is adequate. This is our serious and honest objection to the Soviet proposal, which we consider to represent an oversimplification of the grave problems at issue. The processes for the preparation of the materials which release atomic energy are long and complicated and costly. The process by which these materials are assembled in an atomic bomb is quick and relatively simple; it is the same material that serves for peaceful uses in the arts and sciences or for destruction, and as a consequence every step of the process from the time the ores are first separated from the ground must be controlled. The world will be free from the danger of atomic warfare only if the whole process from beginning to end is placed within the framework of an adequate system of control and development. It is because of the absence of this effective control that we are convinced that the proposal which the Soviet delegation has made is quite inadequate to give the assurance of security which the nations of the world require.

Our position, which has been stated in detail by the Canadian delegation in the Political Committee of this Assembly and elsewhere, is held in the serious belief that it gives not only the best but the only hope of relieving humanity from fear of atomic warfare, and of giving freedom for the development of atomic energy for peaceful purposes. We shall vote for this resolution not with any sense that we have reached an end in the process of negotiation on the subject of the control of atomic energy, but for the purpose of marking a first stage which we hope will constitute the necessary basis for further progress . . . .

### **(3) General Assembly Resolution, November 4, 1948: Atomic Energy.**

#### *The General Assembly*

Having examined the first, second and third reports of the Atomic Energy Commission which have been transmitted to it by the Security Council in accordance with the terms of the General Assembly resolution 1(I) of 24 January, 1946;

1. Approves the general findings (Part IIc) and recommendations (Part III) of the First Report and the specific proposals of Part II of the Second Report of the Commission as constituting the necessary basis for



establishing an effective system of international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons in accordance with the terms of reference of the Atomic Energy Commission;

2. Expresses its deep concern at the impasse which has been reached in the work of the Atomic Energy Commission as shown in its Third Report and regrets that unanimous agreement has not yet been reached;

3. Requests the six sponsors of the General Assembly Resolution of January 24, 1946, which are the permanent members of the Atomic Energy Commission, to meet together and consult in order to determine when there exists a basis for agreement on the international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons, and report to the General Assembly the results of their consultation not later than its next regular session.

*Meanwhile, the General Assembly,*

4. Calls upon the Atomic Energy Commission to resume its sessions, to survey its programme of work and to proceed to the further study of such of the subjects remaining in the programme of work as it considers to be practicable and useful.

### **C. Canadian Statement, Security Council, October 15, 1948: Berlin.**

I should like to take this opportunity to express the most sincere appreciation of the manner in which the President of the Council has carried forward the great responsibilities which came to him to discharge, when he accepted the Presidency of this Council for the consideration of the grave issues which are before us today. I know that I can speak not only for myself, but for our colleagues who have also been associated with him in the talks which he has had, in expressing our confidence in the wisdom and initiative which he has shown.

I have no doubt the President of the Council in the course of our discussions will give an account of the talks. These informal talks in which the representatives on the Security Council of the Argentine, Belgium, Canada, China, Colombia and Syria have been engaged since the last meeting of the Council on the subject of Berlin have had as their purpose the gathering of fuller information as to the points of view of the parties concerned with the problem. In these conversations we have sought also for clarification of the issues involved. In view of the gravity and complexity of these issues it has seemed to us that we have a serious responsibility to examine these matters in all their varied aspects, and with the help of all the information which we can secure. As members of the United Nations, and particularly because we hold the privileges of membership in this Council, the duty is incumbent upon each of us in our task of maintaining international peace and security, to seek methods and procedures which are best suited to that purpose. In order that there may be no misconception of what we have sought to do, I should like to emphasize that we have not been concerned with producing any offer of mediation or with drafting of resolutions, of whatever character, to be placed before this Council. Our work to date has been strictly exploratory and preliminary, because we recognize that it is here in this Council that decisions must be taken.

Mr. President, may I say again that I believe it to be the duty of this Council to reach conclusions and take appropriate decisions promptly for the situation is that we are carrying on this debate under the shadow of violence.

The specific questions which I understand the President has put to the representatives of France, the U.S.S.R., the United Kingdom and the United States have developed from our discussions as points upon which we desire further enlightenment. I hope that all concerned will take advantage of this opportunity to make this further information available so that work in this Council may proceed promptly.

#### **D. Extracts from Canadian Statement, Security Council, March 31, 1948: Czechoslovakia.**

The representative of Chile, in the view of the Canadian delegation, has performed a valuable service in bringing this matter to the notice of the Security Council. It is proper that the very grave charges contained in his letters of March 12 and March 16 should be most carefully examined in the Council. If it were established that the coup in Czechoslovakia, by the Communist minority, was in fact as alleged in this letter "effectuated successfully only because of official participation of representatives of the Union of Soviet Socialist Republics and the threat of the use of military force of the Union of Soviet Socialist Republics which were held in readiness on the northeast boundaries of Czechoslovakia", then clearly a serious violation of the Charter would have occurred.

Such a violation is of direct and immediate concern to every member of the United Nations, and any member State, therefore, is abundantly justified in requesting the Security Council to examine the allegations which have been made and to endeavour to establish the facts in the case, what did happen in Czechoslovakia in the month of February? From the discussion which has taken place in the Council to date I must confess that we have not added substantially to the specific information already available to the members as a result of newspaper despatches which were sent out from Prague at the time. A number of pertinent questions have been asked in the Council but no satisfactory answers have so far been given. Instead, we have heard counter charges and reference to the motives of those who have been trying to establish the facts in the case . . .

. . . The events in Czechoslovakia parallel all too closely early developments in other States in Eastern Europe so that they cannot be dismissed as pure coincidence. As has been noted in the Council already, it is too much to expect us to believe that the creation of similar regimes in countries like Bulgaria, Hungary and Roumania could have taken place without the active and organized help of an outside power. The fact that the appearance of constitutional forms was used to cloak this overthrow of political liberty does not hide the fact that liberty has been overthrown and free political institutions subverted.

Having in mind the intimate associations between the Communist Party in Czechoslovakia, as in other countries and the Soviet Union, it is difficult to avoid the conclusion that the Communist Party gained control of Czechoslovakia with the knowledge, approval and some help at least from the Soviet Union. As has been mentioned already in the Council those who were most active in the coup were known to have lived and received their



training in the Soviet Union itself. The Action Committees which were so effective in intimidating the opposition had apparently been established during the earliest days of the occupation of Czechoslovakia by troops of the Soviet Union.

Unquestionably, where a strong and highly organized political group is known to be linked with the support of an outside Power whose interests it advances, it is difficult to distinguish the relative weight of responsibility that must be borne by each, in the events to which I have referred. But this increases the importance of trying to ascertain the facts with regard to this process, whereby a minority-group linked with an outside Power is able to overthrow its political opponents and deprive the majority of the people of their political liberties, for this is not only dangerous to democracy but also creates a threat to international peace and security.

It is not to be expected that those who have been responsible for the overthrow of the democratic Government in Czechoslovakia would help the Council in assessing their responsibility for these events. But there are some whose testimony might be available to use and who should, therefore, give evidence. I refer not only to Dr. Papanek, but also those citizens of Czechoslovakia who were firsthand witnesses to the sad events which took place there in February and who have since had to leave their country to escape persecution. It is the duty of the Council, in the opinion of the Canadian delegation, to arrange that they be heard.

#### **E. (1) Canadian Statement, First Committee, October 11, 1948: Disarmament.**

The course of this debate has made it clear how earnestly the nations desire real and effective disarmament. Disarmament is a universal objective. I submit that there is no peaceful State, however great or small it may be, that is not willing to disarm to the fullest extent consistent with its security. Certainly the people of Canada are wholeheartedly in favour of any effective plan which would make it possible for them and for other peaceful peoples to reduce the amounts that they must now spend on armaments and armed forces as a measure of security. The same is true in every country that is peacefully inclined and has no aggressive intentions. I repeat that disarmament is a universal objective. It is impossible to emphasize that fact too frequently.

Unfortunately, the Soviet delegation is doing everything in its power to create the impression that the Soviet Union and those States that follow the Soviet line with such remarkable fidelity are the only champions of disarmament. How often have we heard it said that only the U.S.S.R. and those associated with them are upholders of peace and believers in disarmament. Nothing could be further from the truth. I am sure it is unnecessary for me to state that Canada is a wholehearted and sincere believer in peace and is completely without aggressive designs on anyone. In the whole of its history, since self-government was secured in Canada a century ago, not one square foot of territory has been acquired in my country through war or as a result of war. Other delegations have spoken convincingly of their desire for peace and I have no doubt that still others will follow. The point was well put by the delegate of the United Kingdom the other day when he asked us to imagine Luxembourg as a menace to the safety of the Soviet Union. It cannot be stated too often or remembered



too vividly that the Soviet Union, through every means at its disposal, is deliberately twisting facts in an effort to make the unthinking believe that only the Soviet Union favour peace and disarmament, while the rest of the world is in favour of war. As I said before, nothing could be further from the truth.

If we are to make progress in disarmament, as we all so earnestly desire, we can only do so upon a basis of confidence and goodwill. Does anyone think that mutual understanding, goodwill and co-operation are universal in the world today? To pose the question is to give the answer. But it is not enough to leave the matter there. Why has there been such a breakdown in international confidence and goodwill?

What must be remembered by every thinking citizen of this troubled planet is that the tension existing today has been created by the Soviet Union which continues to add fuel to the flame. Not only has the Soviet Union created tension through its policies in international affairs, about which I shall have a word to say later on, but it has added to it by the efforts which it is making to create confusion and dissension within the borders of every liberty-loving and democratic State. If the leaders of the Soviet Union are sincere in their desire for a peaceful and happy world, we have a right to look to them for a moderation of the tension which they have been and are creating. It is because we see no signs of such moderation that we are in doubt as to Soviet motives in presenting the resolution which is now before us.

Let us turn now to an examination of the Soviet resolution on disarmament. We shall have to make our own examination of this resolution because M. Vishinsky in a long statement on Thursday last made practically no reference to the resolution itself. We heard a great deal about Mr. Spaak, we heard a great deal about Mr. Bevin, we even heard some historical records about the Disarmament Conference 20 years ago but nothing about the resolution.

How would the resolution, if adopted, add to our security? Why should we regard it as offering a solution to the complex and difficult problem of disarmament?

Questions like these which are normally answered by the sponsor of a resolution were left untouched. Now let me turn again to the resolution. On the question of reducing by one-third the force of the permanent members of the Security Council we have already heard cogent reasons from some of its permanent members as to the utter unsuitability of a mere proportional cut in armaments. There must clearly be qualitative as well as quantitative disarmament. In order to realize the emptiness of the Soviet suggestion that unless we approve their particular resolution we are opposed to disarmament, it is only necessary to turn to the resolution itself and to see what teeth it contains. By teeth I mean what measures of enforcement it provides. No agreement to disarm can be effective unless it provides a clear and workable system for bringing about disarmament and making sure beyond any doubt that the parties to the agreement are living up to their obligations. It is certainly regrettable that Soviet policies have brought the world to a point where we cannot be expected, in view of the secrecy which shrouds the Soviet Union, to accept vague assurances that this or any other measure of disarmament would actually be put into effect inside the borders of that State. That is why we are forced to the conclusion that, at all times, we must concentrate our attention upon measures

of enforcement, inspection, verification and control. Canada, like most of the countries that fought together in the recent war, substantially reduced its own armaments and armed forces upon the conclusion of hostilities. We did this in the hope that we might be able to place reliance for our own security on the undertakings to which all members of the United Nations had pledged themselves under the Charter. We also hoped that we could rely on the machinery for the maintenance of international peace provided by the Charter.

No country, therefore, would welcome more sincerely than Canada any progress that can be made towards effective measures of general disarmament. Let there be no mistake about that. Canada warmly welcomes effective measures of general disarmament and that has been our consistent opinion. But we will not support measures of disarmament at the cost of insecurity for ourselves or at the cost of insecurity for other nations bent upon maintaining international peace and security on the basis of the principles and purposes of the Charter. As has already been said, why should we be asked to pool our security with a nation which will not, and is determined not to, reveal to the world what it is doing?

I suggest with deference that if the factors contributing to the present state of tension and insecurity were objectively examined, it would be found that the principal aggravating causes are:

1. The tremendous size of the armed forces maintained and deployed by the Soviet Union, particularly in Europe;

2. The failure of the Soviet Union to co-operate in the establishment of collective forces under the United Nations on the basis of Article 43 of the Charter;

3. The failure of the Soviet Union to co-operate in the development of proposals to establish international control of atomic energy; and

4. The failure of the Soviet Union to respond to the majority view expressed in the Commission for Conventional Armaments that measures must be taken to strengthen the sense of security of nations before national armaments may be regulated or reduced. A glance at the Soviet resolution reveals how essentially meaningless it is. The resolution seeks to persuade us that it favours disarmament, but what does it propose in the way of enforcement? I quote the final paragraph of the Soviet draft resolution:

“The General Assembly recommends to establish within the framework of the Security Council an international control body for the purpose of supervision of, and control over, the implementation of the measures for the reduction of armaments and armed forces and for the prohibition of atomic weapons.” In appearance, this may sound reassuring, but in fact what does it mean? It means that an international body—whose activities are not even outlined—is to be established “within the framework of the Security Council.” That can only mean that the veto is to apply at some stage and can be used to prevent the inspection and enforcement that is so essential to a disarmament agreement. As has already been asked in this debate, what opportunity is there for inspection, for verification and for control? The Soviet proposals about international control over the implementation of measures of disarmament are, to say the least, ambiguous. In the view of the Canadian delegation, a system of international inspection is essential to any disarmament agreement. It is one thing for the Soviet Union to say that they will reduce by one-third their present land, naval



and air forces, and even to say after a year has passed that the one-third reduction has been carried out, but it is quite another thing for the Soviet Union to tell us that they will welcome international observers before, during and after the reduction. There, I submit with deference, lies the weakness of the proposal. In the first case, the world has to accept the unsupported assurances of the Soviet Government. In the second case, the world can satisfy itself as to the manner in which disarmament is being carried out. This international inspection would, of course, apply to every country and there would be no invidious singling out of any one country for inspection. A constant scrutiny would be kept on the progress of disarmament measures.

In the view of our delegation, there is nothing more important in this whole problem of international disarmament than the question of inspection, verification and control. The Soviet delegate has already been asked to declare unequivocally whether his country is prepared to open its doors and its borders to international observers teams. Such observer teams might establish both quantitatively and qualitatively the armed forces and armaments, both existing and potential, at the disposal of the Soviet Union in its own territories and the territories under its control, as well as in the territories of all other principal States. It strikes our delegation that an inspection of this nature is clearly a necessary prerequisite if a sound basis for progressive general disarmament is to be established. Following such an inspection a formula of disarmament must be found which would be related to the needs of international peace and security. The Canadian delegation will await with interest the Soviet delegate's reply to this question, already put and now repeated.

Mr. Chairman, I have made it clear why this delegation considers that the Soviet resolution, in spite of its appearance of simplicity, would actually set us back in the complicated task of securing disarmament. A decision has already been taken to disarm, in the General Assembly resolution of 1946, and adequate machinery has been established to carry out that purpose. All that is needed now is the willingness on the part of *all* nations to accept the principles and procedures for disarmament which are acceptable to the majority. We have before us this morning a resolution that has been circulated by the United Kingdom delegation. It makes the circumstances clear by referring to the Military Staff Committee and the Commission on Conventional Armaments and the Atomic Energy Commission, bodies which are already charged with the technical tasks of disarmament. It makes clear also that a majority of nations in those bodies are willing to disarm on the basis of principles which will not endanger the lives and homes of their people. This resolution if adopted by the Assembly will demonstrate to the world that disarmament is possible, without threat or danger to any State, whether in the majority or minority in this debate, if the lines of approach, already laid down, are followed. The principles of this resolution are ones to which the Canadian delegation fully adheres, and we are prepared to continue our participation in efforts to put them into practice. The Canadian delegation hopes that the Committee will put before the Assembly a resolution in terms of the United Kingdom proposal.



## **(2) General Assembly Resolution, November 19, 1948: Disarmament.**

### *The General Assembly,*

Desiring to establish relations of confident collaboration between the States within the framework of the Charter and to make possible a general reduction of armaments in order that humanity may in future be spared the horrors of war and that the peoples may not be overwhelmed by the continually increasing burden of military expenditure,

Considering that no agreement is attainable on any proposal for the reduction of conventional armaments and armed forces so long as each State lacks exact and authenticated information concerning conventional armaments and armed forces of other States, so long as no convention has been concluded regarding the types of military forces to which such reduction would apply, and so long as no organ of control has been established,

Considering that the aim of the reduction of conventional armaments and armed forces can only be attained in an atmosphere of real and lasting improvement in international relations, which implies in particular the application of control of atomic energy involving the prohibition of the atomic weapon,

But noting on the other hand that this renewal of confidence would be greatly encouraged if States were placed in possession of precise and verified data as to the level of their respective conventional armaments and armed forces;

Recommends the Security Council to pursue the study of the regulation and reduction of conventional armaments and armed forces through the agency of the Commission for Conventional Armaments in order to obtain concrete results as soon as possible;

Trusts that the Commission for Conventional Armaments, in carrying out its plan of work, will devote its first attention to formulating proposals for the receipt, checking and publication, by an international organ of control within the framework of the Security Council, of full information to be supplied by member States with regard to their effectives and their conventional armaments;

Invites the Security Council to report to it no later than its next regular session on the effect given to the present recommendation with a view to enabling it to continue its activity with regard to the regulation of armaments in accordance with the purposes and principles defined by the Charter.

Invites all nations in the Commission for Conventional Armaments to co-operate to the utmost of their power in the attainment of the above-mentioned objectives.

## **F. (1) Security Council Resolution, April 21, 1948: India-Pakistan.**

### *The Security Council,*

Having considered the complaint of the Government of India concerning the dispute over the State of Jammu and Kashmir, having heard the representative of India in support of that complaint and the reply and counter complaints of the representative of Pakistan,

Being strongly of opinion that the early restoration of peace and order in Jammu and Kashmir is essential and that India and Pakistan should do their utmost to bring about a cessation of all fighting,

Noting with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite,

Considering that the continuation of the dispute is likely to endanger international peace and security;

Reaffirms the Council's Resolution of January 17th,

Resolves that the membership of the Commission established by the Resolution of the Council of January 20, 1948, shall be increased to five and shall include in addition to the membership mentioned in that Resolution, representatives of—and—<sup>1</sup>and that if the membership of the Commission has not been completed within ten days from the date of the adoption of this Resolution the President of the Council may designate such other Member or Members of the United Nations as are required to complete the membership of five,

Instructs the Commission to proceed at once to the Indian sub-continent and there place its good offices and mediation at the disposal of the Governments of India and Pakistan with a view to facilitating the taking of the necessary measures, both with respect to the restoration of peace and order and to the holding of a plebiscite by the two Governments, acting in co-operation with one another and with the Commission and further instructs the Commission to keep the Council informed of the action taken under the Resolution, and to this end,

Recommends to the Governments of India and Pakistan the following measures as those which in the opinion of the Council are appropriate to bring about a cessation of the fighting and to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan.

#### *A. Restoration of Peace and Order*

1. The Government of Pakistan should undertake to use its best endeavours:
  - (a) To secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the state for the purpose of fighting and to prevent any intrusion into the State of such elements and any furnishing of material aid to those fighting in the State.
  - (b) To make known to all concerned that the measures indicated in this and the following paragraphs provide full freedom to all subjects of the State, regardless of creed, caste, or party, to express their views and to vote on the question of the accession of the State, and that therefore they should co-operate in the maintenance of peace and order.
2. The Government of India should:
  - (a) When it is established to the satisfaction of the Commission set up in accordance with the Council's Resolution of 20 January that the tribesmen are withdrawing and that arrangements for the cessation of the fighting have become effective, put into operation in consultation with the Commission a plan for withdrawing their own forces from Jammu and Kashmir and reducing them progressively to the minimum strength required for the support of the civil power in the maintenance of law and order,

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<sup>1</sup> On April 23, Belgium and Colombia were added to the Commission



(b) Make known that the withdrawal is taking place in stages and announce the completion of each stage;

(c) When the Indian forces shall have been reduced to the minimum strength mentioned in (a) above, arrange in consultation with the Commission for the stationing of the remaining forces to be carried out in accordance with the following principles:

- (i) That the presence of troops should not afford any intimidation or appearance of intimidation to the inhabitants of the State,
- (ii) That as small a number as possible should be retained in forward areas,
- (iii) That any reserve of troops which may be included in the total strength should be located within their present Base area.

3. The Government of India should agree that until such time as the plebiscite administration referred to below finds it necessary to exercise the powers of direction and supervision over the State forces and police provided for in Paragraph 8 they will be held in areas to be agreed upon with the Plebiscite Administrator.

4. After the plan referred to in paragraph 2 (a) above has been put into operation, personnel recruited locally in each district should so far as possible be utilized for the re-establishment and maintenance of law and order with due regard to protection of minorities, subject to such additional requirements as may be specified by the Plebiscite Administration referred to in paragraph 7.

5. If these local forces should be found to be inadequate, the Commission, subject to the agreement of both the Government of India and the Government of Pakistan, should arrange for the use of such forces of either Dominion as it deems effective for the purpose of pacification.

#### B. *Plebiscite*

6. The Government of India should undertake to ensure that the Government of the State invite the major political groups to designate responsible representatives to share equitably and fully in the conduct of the administration at the Ministerial level, while the plebiscite is being prepared and carried out.

7. The Government of India should undertake that there will be established in Jammu and Kashmir a Plebiscite Administration to hold a Plebiscite as soon as possible on the question of the accession of the State to India or Pakistan.

8. The Government of India should undertake that there will be delegated by the State to the Plebiscite Administration such powers as the latter considers necessary for holding a fair and impartial plebiscite including, for that purpose only, the direction and supervision of the State forces and police.

9. The Government of India should at the request of the Plebiscite Administration make available from the Indian forces such assistance as the Plebiscite Administration may require for the performance of its functions.

10. (a) The Government of India should agree that a nominee of the Secretary-General of the United Nations will be appointed to be the Plebiscite Administrator.



(b) The Plebiscite Administrator, acting as an officer of the State of Jammu and Kashmir, should have authority to nominate his Assistants and other subordinates and to draft regulations governing the Plebiscite. Such nominees should be formally appointed and such draft regulations should be formally promulgated by the State of Jammu and Kashmir.

(c) The Government of India should undertake that the Government of Jammu and Kashmir will appoint fully qualified persons nominated by the Plebiscite Administrator to act as special magistrates within the State judicial system to hear cases which in the opinion of the Plebiscite Administrator have a serious bearing on the preparation for and the conduct of a free and impartial plebiscite.

(d) The terms of service of the Administrator should form the subject of a separate negotiation between the Secretary-General of the United Nations and the Government of India. The Administrator should fix the terms of service for his Assistants and subordinates.

(e) The Administrator should have the right to communicate direct with the Government of the State and with the Commission of the Security Council and, through the Commission with the Security Council, with the Governments of India and Pakistan and with their Representatives with the Commission. It would be his duty to bring to the notice of any or all of the foregoing (as he in his discretion may decide) any circumstances arising which may tend, in his opinion, to interfere with the freedom of the Plebiscite.

11. The Government of India should undertake to prevent and to give full support to the Administrator and his staff in preventing any threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite, and the Government of India should publicly announce and should cause the Government of the State to announce this undertaking as an international obligation binding on all public authorities and officials in Jammu and Kashmir.

12. The Government of India should themselves and through the Government of the State declare and make known that all subjects of the State of Jammu and Kashmir, regardless of creed, caste or party, will be safe and free in expressing their views and in voting on the question of the accession of the State and that there will be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit.

13. The Government of India should use and should ensure that the Government of the State also use their best endeavours to effect the withdrawal from the State of all Indian nationals other than those who are normally resident therein or who on or since 15 August, 1947, have entered it for a lawful purpose.

14. The Government of India should ensure that the Government of the State release all political prisoners and take all possible steps so that:

(a) all citizens of the State who have left it on account of disturbances are invited, and are free, to return to their homes and to exercise their rights as such citizens;

(b) there is no victimization;

(c) minorities in all parts of the State are accorded adequate protection.

15. The Commission of the Security Council should at the end of the plebiscite certify to the Council whether the plebiscite has or has not been really free and impartial.

### *C. General Provisions*

16. The Governments of India and Pakistan should each be invited to nominate a Representative to be attached to the Commission for such assistance as it may require in the performance of its task.

17. The Commission should establish in Jammu and Kashmir such observers as it may require of any of the proceedings in pursuance of the measures indicated in the foregoing paragraphs.

18. The Security Council Commission should carry out the tasks assigned to it herein.

### **(2) Canadian Statement, Security Council, April 17, 1948: India-Pakistan.**

In accordance with the invitation of the President, I should like to offer a brief statement with regard to the draft resolution presented to the Security Council in the name of the six delegations whose names appear in the document.

It has always been the hope of the Canadian delegation that, with the aid of the Security Council, the delegations of India and Pakistan would find it possible to reach, through the means of direct negotiation, an agreed basis for the settlement of their differences in regard to the State of Jammu and Kashmir, as well as on the other outstanding matters before the Security Council.

If the Security Council now has to turn to the procedure of adopting a draft resolution whereby it offers to both parties the measures which, in our opinion, should constitute a basis for a fair and equitable settlement, it does so in full realization of the fact that this draft resolution will have failed to achieve its purpose if the two parties themselves do not continue to make every effort to come together and co-operate in regard to its implementation.

I should like the delegations of India and Pakistan to know that the draft resolution before the Security Council represents the best advice which completely objective and fair-minded thought could bring to the difficult problem which the two parties referred to us, and with which the Security Council has been anxiously concerned for so many weeks.

In drawing up these proposals we have sought not only to find what measures would, in our view, be the most effective to bring about a cessation of fighting in the State of Jammu and Kashmir and to provide conditions necessary for a free and fair plebiscite to determine the future of the State, but also to provide those measures which will make evident, both to the peoples of the sub-continent of India and to the world, the justice and fairness of the terms and procedures envisaged in our proposal.

All of those who have been associated with the drafting of this draft resolution have been impressed with the unity of thought and purpose which has brought our minds together in the working out of this text. We have all had but one aim in mind, namely, how to bring about by peaceful means an end to the dispute between the sister Dominions of India and Pakistan over Kashmir.



As the President of the Security Council has indicated, the text before us represents what we think is fair, just and necessary. It is in this spirit that we commend the results of our endeavours to the Governments of India and Pakistan.

#### **G. Security Council Resolution, February 28, 1948: Report of the Committee of Good Offices on Indonesia.**

##### *The Security Council:*

*Having considered* the report of the Committee of Good Offices, informing the Council of the steps taken by the Netherlands Government and the Republic of Indonesia to comply with the Council's resolution of August 1, 1947;

*Notes* with satisfaction the signing of the Truce Agreement by both parties and the acceptance by both parties of certain principles as an agreed basis for the conclusion of a political settlement in Indonesia;

*Commends* the members of the Committee of Good Offices for the assistance they have given the two parties in their endeavours to settle their dispute by peaceful means, and endorses their offer of continued good offices in the working out of a political settlement;

*Maintains* its offer of good offices contained in the Resolution of August 25, 1947, and, to this end,

*Requests* both parties and the Committee of Good Offices to keep the Council directly informed about the progress of the political settlement in Indonesia.

#### **H. (1) Canadian Statement, Interim Committee, July 9, 1948: Voting Procedure in the Security Council.**

The attitude of the Canadian Government towards the general problem of voting procedure in the Security Council is well known from statements which have been made by Canadian delegations in previous discussions of this problem. What I wish to do this morning is to make a few remarks about this particular report.

I think it would be unfortunate if the Canadian delegation seemed, because it associated itself with the preparation of this report and gave its support to this report, either to be modifying its desire for a more radical solution to the problem of voting procedure in the Security Council or to be modifying its discontent and disappointment over the way in which the use of the privileged voting procedure of the permanent members in the Security Council had inhibited the work of that body.

I think I should make it clear, therefore, that the Canadian delegation regards this report merely as a first step in what must necessarily be a long and arduous journey. This is by no means the last time that the problem of voting in the Security Council will be discussed. This is by no means the last expedient that will be resorted to as a method of solving that situation. The report represents the consequences of a decision, taken by the sub-committee when it first met, on tactics. It was necessary to decide then whether a frontal attack should be made on the problem, by considering the possibility of revising the Charter, or whether a more gradual approach should be taken by considering what should be done in existing circumstances to improve the voting procedure. The sub-committee chose the latter course.



I think it made this choice wisely in existing circumstances, not only because of the atmosphere of tension which has developed in the world in recent months, but also because the problem is not simply a problem of voting procedure. It is a much greater problem than that. It is a problem that arises whenever an attempt is made to associate a number of members of varying sizes and strengths in a composite organization. It is a problem that is as old as the history of federalism and those of us who live in federal countries know how difficult a problem it is, how it requires constant scrutiny and repeated adjustments in the arrangements that are made to meet it. I do not think for a moment that this problem can be solved merely by a constitutional reform. If, by constitutional reform, the veto were to be removed tomorrow, I do not think we would be free of the problem which is created either by the immediate difficulty arising out of lack of unanimity among permanent members of the Security Council or by the long range difficulty that arises out of disparity in size, in strength, in willingness and ability to accept responsibility amongst the members. That is not to say for a moment that the present method of solving the problem is satisfactory.

It is a very rough and ready method of meeting that problem that has never been acceptable to the member states that do not enjoy the privilege of that voting procedure. On the other hand, the ultimate satisfactory solution to the problem will not be easy to find. I think it would be misleading the public if we represented this report as going very far but we would be misleading them further if we lead them to believe that more substantial progress could be made now by more radical measures. With reference to this report itself, I think, Mr. Chairman, it is a mistake to assume, as was suggested yesterday by Sir Carl Berendsen, (New Zealand), that the report is without practical significance. It may very well be, as he suggested, that we have gone no further on our journey than the Hudson tunnel. I am not sure, however, that we have not got as close to our destination as if we had wrapped ourselves up in a rocket and set off on a more spectacular journey.

Let us consider what has actually taken place. The voting procedure in the Security Council is stated in the Charter in a very few lines. It is a relatively brief statement. It is obvious that that statement is an inadequate definition of this procedure and that further definition and further interpretation will be required.

In fact, before the Charter itself was eventually signed, there was an interpretation of that section of the Charter, an interpretation which was embodied in the five power statement covering the use to which the veto would be put. That is the only formal interpretation that has ever been given to the procedure since that time. I think it is a mistake to assume that the five powers who were associated with that statement are alone entitled to interpret this particular section, that they alone have the right to define and interpret the privilege which is set forth for them in a very few words in the Charter. I think that the process of definition and interpretations is one in which all members of the United Nations should participate in a variety of ways. They should participate in that process of interpretation and definition in the manner which has been adopted in this Committee and actual participation in the Security Council from time to time in discussions and decisions which in themselves modify this procedure. What has been done in this document is to elaborate a further definition and

interpretation of the voting procedure in the Security Council to put alongside the one already in existence.

It is a definition and interpretation in which, if present indications are correct, the vast majority of members will concur. This interpretation has also the concurrence of four of the members who participated in the previous interpretation. Even though the interpretation which is embodied in this document is never formally put into effect by any single or precise action, it is nevertheless bound to have results in the same way that any general interpretative process has a result on a constitutional structure. It seems to me, therefore, that the results of this process which was begun by the Committee are bound to be of very considerable significance. It is true that what we have done is to initiate a very gradual process but it seems to me that it is only by a gradual process, by trial and error, by interpretation such as the one which we have now completed that the voting procedure in the Security Council can be altered in present circumstances. It may be that before long we can as it were, shift gears, and consider the more direct approach of constitutional amendment. In the meantime, it seems to the Canadian delegation that this constitutes a very useful and practical step towards the gradual solution of this problem and the Canadian delegation is very happy to associate itself with this report.

## **(2) Canadian Statement, Ad Hoc Political Committee, November 17, 1948: Interim Committee.**

As a member of a delegation which took a fairly active part in the debate last year on the establishment of the Interim Committee, I would like to say a very few words on the work of the Committee during the year and on the question as to whether or not it should be continued.

I have listened attentively to the representatives who have spoken both in favor of and against the continuation of the Interim Committee. On the one hand, we have had some very clear reasons advanced why the Interim Committee should be continued for at least another experimental year, and there is no need for me to repeat these arguments here. On the other hand we have had some arguments — as they appeared to me, confused and at times contradictory arguments — why the Interim Committee should not be continued.

Last year, the opponents of the Interim Committee argued that it would be a dangerous agency to create, that it would rush in and interfere all over the place and cause trouble. This year, some of them argue that it is not doing anything to justify its existence. They are hard to please, I suppose because they don't want to be pleased.

A careful examination of the Interim Committee's Report shows that the Committee has proceeded cautiously and has not yet exercised several of the functions, some rather important functions, assigned to it by the Assembly. But I suggest, Mr. Chairman, that this is not a bad thing. The Interim Committee has, in fact, proceeded slowly and has been very careful indeed not to impinge on the activities of the Security Council. It has therefore not justified the violent and exaggerated criticism of its opponents who last year kept on repeating *ad nauseum* — and they seem to be doing it again this year — in spite of the evidence, that the Interim Committee was designed to circumvent the Security Council. I confess that I detected a slight note of sadness in the statement of the representative



of Poland when he admitted that the Interim Committee had not yet interfered with the Security Council. In point of fact, the work of the Interim Committee so far has, I suggest, knocked the props from under the arguments of the boycotters of the Committee. The repetition, consequently, of those arguments this year is not likely to impress anyone any more than it impressed us last year.

Mr. Malik, in spite of the care and caution of the Interim Committee, sees it ruining the Security Council. That Council has been so busy during the past year that it has had to meet four or five days nearly every week. How can it possibly be maintained by Mr. Malik that the Security Council, like the state in Communist theory, is withering away?

Insofar as the legal aspect of the question is concerned, the argument that the Interim Committee is unconstitutional had no validity last year, has no validity this year, and will have no validity next year. As I see it, Article 22 is quite conclusive in this respect:

“The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions”.

The repetition of the old arguments on this matter remind me of that Russian parable that Mr. Vishinsky is so fond of repeating to us about the priest who took a piece of meat, called it fish and ate it on Friday. The Soviet delegation insists on reversing the process — it takes an innocent Committee of the Assembly, curses it, and thereby makes it criminally unconstitutional not to be consumed at any time on pain of excommunication.

The question of expenditure has been mentioned. I need only refer in this connection to the Korean consultation whereby the Interim Committee actually saved the United Nations a great deal of time and expense by obviating the necessity of summoning a special session of the General Assembly. I repeat, that the Interim Committee has saved and in all probability will continue to save the United Nations money rather than put an additional burden on its already overburdened finances.

Anyone who has taken the time to read carefully the reports of the Interim Committee on the very thorough and careful studies which it has carried out will I think, readily see that the Interim Committee has justified its existence. I refer to the studies on “voting in the Security Council” and “methods for the promotion of international co-operation in the political field”. These were studies carried out patiently, carefully, and seriously. In many respects, they were technical studies divorced from the heated atmosphere of the political propaganda debates which are so depressingly characteristic of the Assembly. Something has been done already by the Interim Committee, and much more remains to be done, and for that reason my delegation will support the continuance of the Interim Committee. We think it would be prudent and wise at this time to continue it for one further experimental year and then review the situation at the next regular meeting of the General Assembly.

# **I. (1) Canadian Statement, General Assembly, December 12, 1948: Korea.**

The strong support given in Committee One to the resolution on Korea which is now before the Assembly, is a striking mark of confidence both in the United Nations Temporary Commission on Korea and in the validity



of the process by which as the result of the elections observed by the Commission the Korean Government was constituted. The Canadian government fully shares this confidence. We believe that the United Nations Temporary Commission on Korea has given valuable assistance to the emergence in South Korea of the government which has been represented at the Assembly. We regret that it has not been possible for the Commission to carry out its functions for the whole of Korea. That is not the fault, however, either of the Commission itself or of the people of Korea.

The Canadian delegation wishes to take this opportunity to congratulate the representatives of the Korean government who have come to Paris, on the able account which they have given of the reestablishment of democratic institutions in South Korea, and on the progress which is being made in the reconstruction of the political life of the community. We fully concur in the proposal made in this resolution that the United Nations should again send representatives to carry out the functions defined in the terms of reference stated in the resolution. We do not consider, however, that for these continuing functions, a Commission as large as that originally sent to Korea is necessary. Our preference would have been for a Commission of not more than five members. Consideration was not given in the Committee to the possibility of reducing the number of representatives. We do not wish now to start a debate on this subject. It is possible, however, for the size of the Commission to be reduced at least to seven by a simple procedure. One of the nine members named to the Commission a year ago has refused to participate in its activities, and has announced again this year that it will have nothing to do with the work of the Commission. We see no reason, therefore, why the Ukraine should continue to be a member of the Commission. The elimination of the Ukraine alone would leave a Commission of eight members. This is not a convenient number. We are prepared, therefore, ourselves to withdraw from the Commission, thus reducing the number to seven. To this end the Canadian delegation has circulated a document amending Paragraph (4) of the Korean resolution so that the Commission on Korea would consist of Australia, China, El Salvador, France, India, the Philippines, and Syria. In proposing this amendment we wish to reaffirm our full confidence in the work of the Commission, and in the competence of the members of the Commission who will continue to serve, if the amendment is adopted.

## **(2) General Assembly Resolution, December 12, 1948: Korea.**

### *The General Assembly,*

Having regard to its resolution No. 112 of 14 November, 1947, concerning the problem of the independence of Korea;

Having considered the report of the United Nations Temporary Commission on Korea (hereinafter referred to as the "Temporary Commission") and the report of the Interim Committee regarding its consultations with the Temporary Commission;

Mindful of the fact that due to difficulties referred to in the report of the Temporary Commission, the objectives set forth in the resolution of 14 November, 1947, have not yet been fully accomplished; and in particular that unification of Korea has not yet been achieved;

(1) *Approves* the conclusions of the reports of the Temporary Commission;

(2) *Declares* that there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult and in which the great majority of the people of all Korea reside; that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such government in Korea;

(3) *Recommends* that the occupying Powers should withdraw their occupation forces from Korea as early as practicable;

(4) *Resolves* that, as the means to the full accomplishment of the objectives set forth in the resolution of 14 November, 1947, a Commission on Korea, consisting of the following states: Australia, China, El Salvador, France, India, the Philippines, Syria, be established to continue the work of the Temporary Commission and carry out the provisions of the present resolution, having in mind the status of the Government of the Republic of Korea as herein defined and in particular to:

(a) Lend its good offices to bring about unification of Korea and integration of all Korean security forces in accordance with the principles laid down by the General Assembly in the resolution of 14 November, 1947;

(b) Seek to facilitate the removal of barriers to economic and social and other friendly intercourse caused by the division of Korea;

(c) Be available for observation and consultation in the further development of representative government based on the freely expressed will of the people;

(d) Observe the actual withdrawal of occupying forces and verify the fact of withdrawal when such has occurred; and for this purpose, if it so desires, request assistance of military experts of the two occupying powers;

(5) *Decides* that the Commission:

(a) Shall within thirty days of the adoption of the present resolution, proceed to Korea, where it shall maintain its seat;

(b) Shall be regarded as having superseded the Temporary Commission established by the resolution of 14 November, 1947;

(c) Is authorized to travel and consult throughout Korea;

(d) Shall determine its own procedures;

(e) May consult with the Interim Committee with respect to the discharge of its duties in the light of developments, and within the terms of this resolution;

(f) Shall render a report to the next regular session of the General Assembly, and to any prior session which might be called to consider the subject matter of the present resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for distribution to members;

(6) *Requests* that the Secretary-General provide the commission with an adequate staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay expenses and per diem of a representative and alternate from each of the States members of the commission;

(7) *Calls upon* the Member States concerned, the Government of the Republic of Korea, and all Koreans to afford every assistance and facility to the Commission in the fulfillment of its responsibilities;



(8) *Calls upon* the Member States to refrain from any acts derogatory to the results achieved by the United Nations in bringing about the complete independence and unity of Korea;

(9) *Recommends* that Member States and other nations, in establishing their relations with the Government of the Republic of Korea, take into consideration the facts set out in paragraph 2 of the present resolution.

**J. (1) Canadian Statement, Security Council, March 24, 1948:  
Suspension of Partition Plan for Palestine.**

The plan of partition with economic union recommended by the Special Committee on Palestine and adopted by the General Assembly on November 29, 1947, was based on a number of important assumptions. Events which have taken place since that date, and in particular the information which the Council received last week concerning consultations which had taken place amongst the Permanent Members of the Security Council, have made it clear that the expectations held in November have not been realized.

In the first place, it was assumed that the two communities in Palestine would co-operate in putting into effect a solution to the Palestine problem which was recommended by the General Assembly. The manner in which it was proposed to distribute territory between the two communities was based on the expectation that common economic policies and common fiscal services would be adopted in a high degree of integration between Jewish and Arab States. Without this integration in economic union, neither state would be able to organize satisfactorily even such elementary matters as road and rail communications, telephone and telegraph lines, electric power and water supply. The responsibility for making the plan of partition with economic union work was to depend primarily on the people of Palestine themselves, and on their willingness to work together, particularly in economic matters. It has now become clear, however, that co-operation between the Jews and Arabs of Palestine to the extent assumed in the plan of partition is not realizable under present conditions.

The second basic assumption made during the Palestine discussions at the General Assembly was that the Mandatory Power would be able to give assistance in bringing the recommendations of the General Assembly into effect. When the plan of partition was first prepared by the United Nations Special Commission on Palestine, it was provided that the Mandatory Power should supervise, over a period of two years, the transitional arrangements necessary for its realization. After the Assembly had met, however, the Mandatory Power indicated that it would not play a major role in implementing a plan against the wishes of either the Arabs or the Jews of Palestine. After the Assembly rose, the Mandatory Power confirmed the indications it had given during discussions in sub-committee that it could not permit the delimitation of boundaries and the recruiting of local militia until after the mandate was terminated, since these activities would increase the problem of maintaining public order. For the same reason it could not allow the Commission to go to Palestine until May 1st. Preparations essential to the fulfilment of the plan have therefore been impossible to carry out and it is now clear that the co-operation of the United Kingdom in the execution of the plan cannot be expected beyond accepting the recommendation that the mandate be laid down, and permitting an advance party of the Secretariat of the United Nations Commission to undertake preparatory work in Jerusalem.



A third assumption made, in adopting the plan of partition, was that a resolution of the General Assembly on this subject would be accepted even by the Members of the United Nations which voted against it in plenary session. Thus, in spite of the opposition of the Arab States, the Assembly acted in the belief that a recommendation supported by at least two-thirds of the Members of the United Nations present and voting would have "a position close to law" and would not be opposed by any Member States. An active minority of the Members of the United Nations has refused to accept the recommendation of the Assembly. This minority includes all states adjacent to Palestine. The nations in question are now said to be assisting the organization of irregular forces to resist partition, and they have indicated that they are prepared even to use their own armed forces if outside forces come to the aid of the Jews.

It was also assumed, when the plan of partition was adopted by the General Assembly, that it would be possible to transfer authority for the Government of Palestine rapidly and progressively from the Mandatory Power to the Provisional Councils of Government of the new states. For this reason, it was not expected that the Palestine Commission would be required to do more than superintend the acceptance by the Provisional Councils of Government of the administrative and protective responsibility which the Mandatory Power was surrendering. In effect, it was expected that the role of the United Nations would be no greater than to assist in the transfer of authority from the Mandatory Power to independent Arab and Jewish States. In practice however, it has not proved possible to put this procedure into effect. The progressive transfer of authority to the Councils of Government was not possible because the Mandatory Power did not consider that the situation in Palestine was such that the Palestine Commission could be permitted to enter Palestine until a fortnight before the termination of the mandate, and it was itself unwilling to take steps towards the establishment of local authorities to take over its administrative responsibilities. The Palestine Commission, therefore, if it were to function at all, would now have to undertake much wider responsibilities for administration following the termination of the mandate than was ever intended.

Finally, it was assumed in November that the Security Council would be in a position to take the initiative in maintaining peace in Palestine if difficulties arose there during the period of transition following the surrender of the mandate. It was recognized, by some states at least, that disorder might break out in Palestine, and it was assumed that agreement could be reached in the Security Council as to the measures necessary to be taken in that event. The report which we have recently received of the discussions amongst the Permanent Members of the Security Council indicates quite clearly, however, that agreement cannot be reached under present arrangements to take effective military action to keep order in Palestine.

What then are we to do? It seems then that if nothing is done either by the organized community of nations or by the states directly concerned, Palestine will become a scene of ever increasing violence and disorder. Both Jews and Arabs are prepared to fight for control of the country, and a bitter civil war seems likely to break out when the United Kingdom surrenders the mandate unless some alternative authority is established. The peace not only of Palestine but of the whole Middle East would be endangered. The interests of all members of the United Nations, and

particularly of the peoples who reside in this area, would be seriously endangered by such a calamity.

A brief but vigorous effort has been made to give effect to the plan of partition. It is now proposed that this effort should be suspended, at least temporarily. In considering this proposal, we should not overlook the conscientious and intelligent manner in which the Palestine Commission has endeavoured to carry out the task given it by the General Assembly and I should like to take this opportunity to bear tribute to the Commissioners and their advisers. The experience of the Commission has demonstrated, I think, that major tasks in the United Nations involving heavy responsibility should not be entrusted to commissions consisting entirely of small powers, especially if the larger powers are not in agreement that these tasks should be carried out. It is to be hoped, therefore, that if new plans for Palestine are to be considered, the responsibility for them will be assumed more directly by the powers which have major interests in that area.

There can be no doubt that the United States proposal for establishing a temporary trusteeship in Palestine presents certain difficulties which would have to be overcome. It is possible that the proposal might be resisted by both elements of the population despite the fact that a temporary trusteeship would not prejudice in any way an eventual settlement. It was not expected by either community that the period of mandatory power would be replaced by that of some other external authority after the termination of the mandate. Neither may be expected to welcome a decision which would mean that independence cannot now be granted to their people or that they must undergo a further tutelage. On the other hand the cooling-off period which a temporary trusteeship would provide would, however, have the great merit of giving an opportunity for moderate Jewish and Arab leaders to work out in a less unfavourable atmosphere a settlement of their common problems within the framework of the United Nations Charter. This period could be of short duration if these leaders were to address themselves with vigour and a mature sense of responsibility toward the settlement of their own problems by direct negotiation.

Alternative plans should be considered, but there is an obvious danger in our opinion that if the United Nations and the Council in particular is to turn from one course of action to another, without some assurance that the greatest possible amount of agreement and co-operation will be forthcoming from the states most directly concerned, we shall again encounter serious difficulties of implementation. Therefore in the circumstances the Canadian delegation is not at the present stage prepared to declare itself in favour of one course of action rather than another, until we have some evidence that there is a meeting of minds on the part of the countries most directly concerned on what the best course of action should be.

## **(2) General Assembly Resolution, May 14, 1948: Appointment and Terms of Reference of a United Nations Mediator in Palestine.**

The General Assembly,

Taking account of the present situation in regard to Palestine,

### **I**

Strongly affirms its support of the efforts of the Security Council to secure a truce in Palestine and calls upon all Governments, organizations and persons to co-operate in making effective such a truce;



## II

1. Empowers a United Nations Mediator in Palestine, to be chosen by a committee of the General Assembly composed of representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, to exercise the following functions:

(a) To use his good offices with the local and community authorities in Palestine to:

- (i) Arrange for the operation of common services necessary to the safety and well-being of the population of Palestine;
- (ii) Assure the protection of the Holy Places, religious buildings and sites in Palestine;
- (iii) Promote a peaceful adjustment of the future situation of Palestine;

(b) To co-operate with the Truce Commission for Palestine appointed by the Security Council in its resolution of 23 April, 1948;

(c) To invite, as seems to him advisable, with a view to the promotion of the welfare of the inhabitants of Palestine, the assistance and co-operation of appropriate specialized agencies of the United Nations, such as the World Health Organization, of the International Red Cross, and of other governmental or non-governmental organizations of a humanitarian and non-political character;

2. Instructs the United Nations Mediator to render progress reports monthly, or more frequently as he deems necessary, to the Security Council and to the Secretary-General for transmission to the Members of the United Nations;

3. Directs the United Nations Mediator to conform in his activities with the provisions of this resolution, and with such instructions as the General Assembly or the Security Council may issue;

4. Authorizes the Secretary-General to pay the United Nations Mediator an emolument equal to that paid to the President of the International Court of Justice, and to provide the Mediator with the necessary staff to assist in carrying out the functions assigned to the Mediator by the General Assembly;

## III

Relieves the Palestine Commission from the further exercise of responsibilities under resolution 181 (II) of 29 November, 1947.

**(3) Security Council Resolution, May 29, 1948: Palestine.**

*The Security Council,*

Desiring to bring about a cessation of hostilities in Palestine without prejudice to the rights, claims and position of either Arabs or Jews,

Calls upon all Governments and authorities concerned to order a cessation of all acts of armed force for a period of four weeks,

Calls upon all Governments and authorities concerned to undertake that they will not introduce fighting personnel into Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the cease fire and



Calls upon all Governments and authorities concerned, should men of military age be introduced into countries or territories under their control, to undertake not to mobilize or submit them to military training during the cease fire,

Calls upon all Governments and authorities concerned to refrain from importing or exporting war material into or to Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the cease fire,

Urges all Governments and authorities concerned to take every possible precaution for the protection of the Holy Places and of the City of Jerusalem, including access to all shrines and sanctuaries for the purpose of worship by those who have an established right to visit and worship at them,

Instructs the United Nations Mediator for Palestine in concert with the Truce Commission to supervise the observance of the above provisions, and decides that they shall be provided with a sufficient number of military observers,

Instructs the United Nations Mediator to make contact with all parties as soon as the cease fire is in force with a view to carrying out his functions as determined by the General Assembly,

Calls upon all concerned to give the greatest possible assistance to the United Nations Mediator,

Instructs the United Nations Mediator to make a weekly report to the Security Council during the cease fire,

Invites the States Members of the Arab League and the Jewish and Arab authorities in Palestine to communicate their acceptance of this resolution to the Security Council not later than 6.00 p.m. New York Standard Time on 1 June, 1948,

Decides that if the present resolution is rejected by either party or by both, or if, having been accepted, it is subsequently repudiated or violated, the situation in Palestine will be reconsidered with a view to action under Chapter VII of the Charter,

Calls upon all Governments to take all possible steps to assist in the implementation of this resolution.

#### **(4) Security Council Resolution, July 15, 1948: Palestine.**

##### *The Security Council*

*Taking into consideration* that the Provisional Government of Israel has indicated its acceptance in principle of a prolongation of the truce in Palestine; that the States Members of the Arab League have rejected successive appeals of the United Nations Mediator, and of the Security Council in its resolution of 7 July, 1948, for the prolongation of the truce in Palestine; and that there has consequently developed a renewal of hostilities in Palestine;

*Determines* that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter;

*Orders* the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action and to this end to issue cease-fire orders to their military and paramilitary forces, to take effect at a time to be determined by the Mediator,

but in any event not later than three days from the date of the adoption of this resolution;

*Declares* that failure by any of the Governments or authorities concerned to comply with the preceding paragraph of this resolution would demonstrate the existence of a breach of the peace within the meaning of Article 39 of the Charter requiring immediate consideration by the Security Council with a view to such further action under Chapter VII of the Charter as may be decided upon by the Council;

*Calls upon* all Governments and authorities concerned to continue to co-operate with the Mediator with a view to the maintenance of peace in Palestine in conformity with the resolution adopted by the Security Council on 29 May, 1948;

*Orders* as a matter of special and urgent necessity an immediate and unconditional cease-fire in the City of Jerusalem to take effect 24 hours from the time of the adoption of this resolution, and instructs the Truce Commission to take any necessary steps to make this cease-fire effective;

*Instructs* the Mediator to continue his efforts to bring about the demilitarization of the City of Jerusalem, without prejudice to the future political status of Jerusalem, and to assure the protection of and access to the Holy Places, religious buildings and sites in Palestine;

*Instructs* the Mediator to supervise the observance of the truce and to establish procedures for examining alleged breaches of the truce since 11 June, 1948, authorizes him to deal with breaches so far as it is within his capacity to do so by appropriate local action, and requests him to keep the Security Council currently informed concerning the operation of the truce and when necessary to take appropriate action;

*Decides* that, subject to further decision by the Security Council or the General Assembly, the truce shall remain in force, in accordance with the present resolution and with that of 29 May, 1948, until a peaceful adjustment of the future situation of Palestine is reached;

*Reiterates* the appeal to the parties contained in the last paragraph of its resolution of 22 May and urges upon the parties that they continue conversations with the Mediator in a spirit of conciliation and mutual concession in order that all points under dispute may be settled peacefully;

*Requests* the Secretary-General to provide the Mediator with the necessary staff and facilities to assist in carrying out the functions assigned to him under the resolution of the General Assembly of 14 May, and under this resolution; and

*Requests* that the Secretary-General make appropriate arrangements to provide necessary funds to meet the obligations arising from this resolution.

## **(5) Security Council Resolution, November 16, 1948: Palestine.**

### *The Security Council*

*Reaffirming* its previous resolutions concerning the establishment and implementation of the Truce in Palestine and, recalling particularly its Resolution of 15 July, 1948 which determined that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter;



*Taking Note* that the General Assembly is continuing its consideration of the future government of Palestine in response to the request of the Security Council of 1 April, 1948 (document S/714);

*Without Prejudice* to the actions of the Acting Mediator regarding the implementation of the Resolution of the Security Council of 4 November, 1948;

*Decides* that, in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present Truce to permanent peace in Palestine, an armistice shall be established in all sectors of Palestine;

*Calls upon* the parties directly involved in the conflict in Palestine, as a further provisional measure under Article 40 of the Charter, to seek agreement forthwith, by negotiations conducted either directly or through the Acting Mediator on Palestine, with a view to the immediate establishment of the Armistice including:

- (a) The delineation of permanent armistice demarcation lines beyond which the armed forces of the respective parties shall not move;
- (b) such withdrawal and reduction of their armed forces as will ensure the maintenance of the armistice during the transition to permanent peace in Palestine.

**(6) Canadian Statement, First Committee, November 22, 1948: Palestine.**

The present situation in regard to Palestine represents a logical development in the series of events which began when the Palestine question was referred to the United Nations by the Mandatory Power in the spring of 1947. It is deplorable that this process has been interrupted by unnecessary violence with unhappy and even tragic consequences for the inhabitants of Palestine. By and large, however, the pattern of development has been a coherent, if at times a discouraging one. I think that its existence and the way that matters have been working out up to the present, gives a clue to what we should expect in the future.

The basic recommendation, which was first made by UNSCOP, and then confirmed by the General Assembly on November 29 last, was that the two communities in Palestine should be given a separate political existence. Many of us regretted the necessity of making this recommendation. Our motives in supporting it have been challenged, and our judgment violently attacked. However, so far as the delegation and government for which alone I have the right to speak, are concerned, our decision last year was sincerely and objectively taken after considering all the other possible solutions which had been proposed for this complicated and terribly difficult problem. We were honestly of the opinion that there was no practicable alternative to partition, and with other delegations we felt that this was the advice we should give to those most concerned. Some form of unitary or federal state would, of course, have been preferable, but there was no possibility of forcing political unity on the Arab and Jewish peoples of Palestine in a form which would not have been bitterly resisted by one side or the other. In these circumstances, the only thing we could do was to reconcile ourselves to the necessity of separation as the solution which seemed best in the circumstances. It was not the recognition of this necessity but the necessity itself which has been the source



of the difficult situation in which Palestine now finds itself. Let those who charge that this decision was the cause of all the bloodshed and destruction that have degraded the Holy Land in the last 12 months ask themselves whether there would have been peace and order in that area if a unitary state had been forced on the Jewish population of Palestine, or if the Assembly had made no recommendation at all.

The degree of separation and the geographical terms of the separation of the two communities, Arab and Jewish, in Palestine, were both matters of uncertainty when the Assembly first decided in favour of partition. We hoped then (though not blind to the obstacles and difficulties in the way) that it would have been possible for the two communities, though in separate states, to work together through a very considerable measure of economic integration. The resolution of November 29 was based on this assumption, which in turn led to the further assumption that a complicated distribution of territory which in other circumstances would have been quite unworkable, could be made between the two communities. Whether or not it was wise to make these particular assumptions is now a matter for history, but it is clear that *some* assumptions had to be accepted or no recommendation could have been made and this would simply have meant that nature would have been allowed to take its course. In any event, it is clear that expectations held last November were too optimistic because the conditions which would have made their realization possible did not exist. In certain respects it is perhaps more accurate to say these conditions were not encouraged or indeed permitted. It followed, therefore, that adjustments in the November plan would be necessary. This process of adjustment has been confused and, all too frequently, violent.

Violence has not, however, been the only force at work in Palestine and that, I suggest, is due in large part to the fact that there *was* a decision of the United Nations which involved not only the Assembly but the Security Council. Through the truce and mediation procedures initiated by the United Nations it has been possible to bring some external judgment to bear on developments in Palestine.

The situation which we now face is, therefore, a result of both the clash of arms which has taken place on the soil of Palestine, and of the efforts which the United Nations has made to limit and control this conflict.

What should we do now? The Mediator, whose death we all deplore and to whose memory I would like to pay a sincere tribute of gratitude and respect, answered that question in his last report, when he said:

“What is indispensable is that the General Assembly take a firm position on the political aspects of the problem in the light of all the circumstances since its last session, and that its resolution be so reasonable as to discourage any attempt to thwart it and to defy the Security Council order by the employment of armed force”.

There are certain basic elements in the situation as we see it which must be recognized if the Mediator's advice is to be taken. There are certain facts which *must* be accepted, if peace is to be restored and maintained.

(1) The emergence of an independent Jewish state in Palestine as recommended by the Assembly a year ago is one such fact which must be taken into account in the consideration of any further developments.

(2) No indigenous Arab authority has emerged in Palestine which has yet demonstrated its ability to take over authority in areas which are not under the control of the Jewish state.

(3) The additional territorial and political adjustments which must now take place in Palestine must be made, as far as possible, by the people of that territory themselves. The United Nations can and should make available its good offices in a number of forms, but the people who live in that area must bear the main responsibility for working out the terms of their own association. They can do this either directly or through mediation, but *they* must take responsibility for the decisions which are finally reached. If those who are directly concerned, refuse to participate in such negotiations and decisions, they will take on themselves a very heavy responsibility.

(4) This further process of settlement *must* be a peaceful one. The whole effort of the United Nations over the past year has been to keep, so far as possible, the peace in Palestine. Unfortunately we have not been able to prevent fighting from taking place. By and large, however, the truce has prevented large scale and continuous war and, in its most recent action, the Security Council has reaffirmed its determination that neither party in Palestine shall renew its efforts to settle this issue by force. The Security Council has recently gone further, and has pointed the way to peace by directing the parties to change the truce into an armistice.

The acceptance of this analysis of the situation and the decision to proceed on this basis will, of course, place heavy obligations and responsibilities on the Arab peoples of the Middle East. Those peoples will have to admit the futility of continuing to threaten what clearly cannot be accomplished, that is the extinction of the Jewish state, or to insist that they will not negotiate, directly or indirectly, with the representatives of, or on the basis of any recognition of, any Jewish state in Palestine. Whether we like it or not, a large part of the territory of the former Mandate of Palestine is now under the control of the Provisional Government of Israel. There seems to be no likelihood in the foreseeable future that this control will be taken from them. The Arab states may hold, and may sincerely and tenaciously hold, that this is an evil consequence of injustices which took place thirty years ago, but, even if this is the case, they cannot expect the United Nations to right ancient alleged wrongs in the face of recent history, especially when the redress of such alleged wrongs would bring bitter reproaches that new and worse injustices were being created.

We must deal with the fact that a Jewish state has come into existence and has established its control over territory from which it will not be dislodged, and we must address ourselves to the problem of regulating the relations of this community with its neighbours. I do not deny for a moment that this is a difficult circumstance for the Arab states to accept, but it is nevertheless the case, and it does not seem to me that the United Nations would be doing those states any service if it encouraged them, or even permitted them, to continue their efforts to destroy by arms the Jewish state.

On the other hand, the Jewish community must also make difficult decisions which will involve certain concessions. At the moment, its armies seem to be in a position where they could, if they so chose, establish themselves in almost the whole Palestine. If they did so, they would be openly defying the wishes of the international community. Last year's recommendation clearly indicated that, in the judgment of the world, the territory



of Palestine should be divided between two peoples, and that these two peoples should then make arrangements as quickly as possible to work together for their common good. We cannot force them to work together, but we can keep insistently reminding them that this is what was intended, and that if they act in a way which will destroy all possibilities for such co-operation, they will do so without the support of, and indeed, against the will of the United Nations. The Jewish community should realize, therefore, that it cannot have it both ways—it cannot have *all* the territory which was given it by the November 29 resolution, together with *all* the additional territory which it has been able to take by force of arms. In the adjustments which must now be worked out in Palestine by which the boundaries of Israel will be defined, the Jewish state itself must, in the interests, not only of its relations with its neighbours, but also of the international community of which it will form a part, place self-imposed limits on its demands. In return for this, the Jewish state has the right to ask for peace and recognition. It can hardly be asked to enter into negotiations for a settlement unless it is given some right to expect that such a settlement will mean peace for itself in Palestine.

The occasion is one which calls for statesmanship, and I am sure that, while there are extremists on both sides counselling rash and disastrous courses, which have nothing to do with wisdom or common sense, there are also resources of statesmanship on both sides through which the issue could be settled on an equitable basis. I hope we shall not be told by anyone that he is prepared to be statesmanlike only if somebody else is, because no move towards political understanding can be successful if it is approached in this way. If, and I know that this is a big “if”, wisdom and sense are forthcoming, the Palestine problem can be solved.

The establishment of peace—political and military—in this area is, furthermore, a matter of general international concern, because if present conditions of confusion and disturbance are permitted to persist, the only beneficiary will be those international forces of discord and division who do not want any peace or stability anywhere except through the establishment of their own revolutionary and reactionary rule.

There is a further fact that the people—the great mass of people in Palestine—Arabs and Jews—who are the chief sufferers from the fighting that has taken place, are anxious for peace; especially after the terrors and bloodshed of the last year. Because of what has happened—and in spite of certain statements made in this Committee—there is, I think, a better chance for peace now than there was six months ago. Those most concerned now realize acutely what will happen if peace is not established soon.

So far as the action of this Assembly is concerned, I should like to see a decision taken which would incorporate the following principles, all of which must be taken together:

First, a recognition of the existence of a Jewish state. Possibly we need not wait for this action until the boundaries of that state are precisely and finally defined. I think, however, that we have the right to know that the state which we are recognizing—and this recognition would make it eligible for membership in United Nations—has committed itself fully to the principles of peaceful settlement which are embodied in the Charter and has shown its acceptance of these principles by giving effect to the truce and armistice arrangements which have been laid down by the Security Council.



I hope, in the second place, that the United Nations will establish some body—perhaps a small commission as has been suggested in the United Kingdom resolution—to make available its good offices to both the Jewish state and its neighbours in working out the arrangements by which they can define their geographical and political relations. In establishing this body, I think the Assembly should indicate that a final settlement must now be negotiated in Palestine and that it should take place within the framework of the truce and mediation proceedings which have been worked out since November 29 by the Assembly and the Security Council.

Finally, I think the Assembly should reaffirm the recommendation which it has previously made that there should be international control of Jerusalem, and should call upon both parties to co-operate in implementing this recommendation.

For the purpose of bringing about a decision in the Assembly along the lines I have suggested, the United Kingdom draft resolution which has been placed before us provides, I think, a good basis of discussion. It would probably be necessary, however, as we see it at present, to broaden the functions of the conciliation commission which is proposed in Paragraph 5 of that Resolution so that it would become, in effect, a commission of good offices to bring about a settlement through negotiations either directly between parties or through some form of mediation. The negotiations which this commission should initiate or which it may conduct should not, I think, be limited quite so precisely as is now the case in Paragraphs 3 and 5 of the United Kingdom resolution. It should also be stated in the resolution that one of the primary functions of the Commission should be to initiate negotiations, and the negotiations themselves should take into consideration both the November 29 resolution and the Mediator's Report as well as the situation which exists in Palestine under the truce.

I hope that in our future discussion of the United Kingdom resolution, modifications along these lines may be considered.

These, Mr. Chairman, are only general and preliminary considerations; certain principles which should, in our view, be incorporated in any recommendation which comes from this Committee. I realize full well that there is nothing more difficult in a situation such as we have in Palestine, than converting a principle into a practice, into a performance. I venture to hope, however, that, in the light of the decisions which the United Nations have already taken and, above all, in the light of the tragic events of the last year, we can now make such a conversion, and by doing so make an effective and lasting contribution to peace in the unhappy Holy Land of Palestine.

#### **(7) General Assembly Resolution, December 11, 1948: Palestine: Progress Report of the United Nations Mediator.**

*The General Assembly,*

*Having considered further the situation in Palestine,*

1. *Expresses* its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and

*Extends* its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;

2. *Establishes* a Conciliation Commission consisting of three States Members of the United Nations which shall have the following functions:

(a) To assume, insofar as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by the resolution of the General Assembly of 14 May, 1948;

(b) To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

(c) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

3. *Decides* that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present, before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;

4. *Requests* the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;

5. *Calls upon* the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November, 1948 and to seek agreement by negotiations conducted either with the Conciliation Commission or directly with a view to the final settlement of all questions outstanding between them;

6. *Instructs* the Conciliation Commission to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them;

7. *Resolves* that the Holy Places—including Nazareth—, religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposal for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;

8. *Resolves* that, in view of its association with three world religions, the Jerusalem area, including the present municipality of Jerusalem *plus* the surrounding villages and towns, the most Eastern of which shall be



Avu Dis; the most Southern, Bethlehem; the most Western, Ein Karim (including also the built-up area of Motsa); and the most Northern, Shufat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;

*Requests* the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

*Instructs* the Conciliation Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a United Nations representative who shall co-operate with the local authorities with respect to the interim administration of the Jerusalem area;

9. *Resolves* that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;

*Instructs* the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. *Instructs* the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;

11. *Resolves* that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;

*Instructs* the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. *Authorizes* the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards for the protection of the staff and premises of the Commission;

13. *Instructs* the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;



14. *Calls upon* all Governments and authorities concerned to co-operate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;

15. *Requests* the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.

**(8) Canadian Statement, Security Council, December 2, 1948:  
Admission of Israel to the United Nations.**

My very few remarks on this matter will be limited strictly to the question of procedure. In this regard, we support the reference of this matter in the normal way to a special committee, where we hope it will be dealt with as quickly as possible.

However, like the representative of France, we feel that there is a relationship between this question of urgency and the questions which are now under discussion in the First Committee. We are not yet certain what resolution will come from the First Committee, what it will contain; and we do not know, therefore, what obligations it will lay upon the peoples of Palestine.

Article 4 of the Chapter provides that membership in the United Nations shall be open to peace-loving States which accept the obligations contained in the Charter and are able and willing to carry out these obligations. But, in the case of the application which has been received from the Israeli authorities, these qualifications can, I suggest, be judged only in relation to the resolution which the General Assembly carries on the subject of Palestine. Until that resolution has been formulated, we shall not know what it will be necessary for the Israeli authorities to do in order to fulfil their obligations to the Organization, nor can we tell, of course, whether they will be able and willing to carry out these obligations. If the First Committee should adopt a resolution which makes adequate provision for a peaceful settlement in Palestine through the appointment of a conciliation commission which will work out, in consultation with those concerned, the necessary details of such a settlement, and if the Israeli authorities agree faithfully to endeavour to carry out the provisions of that resolution, then it may be possible to give speedy and sympathetic consideration to its application. If, on the other hand, the action which is taken in the First Committee proves unacceptable to the Israeli authorities, we might have to give the matter further consideration. If—although I think this is unlikely—for some reason or other, the First Committee is prevented from reaching any decision, while we might still wish to act on the Israeli application for membership, I nevertheless think we should wish to consider our actions in terms of that specific situation.

Therefore, while agreeing that this matter should go to the special committee, I hope that that committee, when it begins its work, will keep these considerations in mind and relate its consideration of this matter to what is going on in the First Committee and, ultimately, in the Assembly on this question of Palestine.

**(9) Canadian Statement, Security Council, December 17, 1948:  
Admission of Israel to the United Nations.**

The Canadian delegation realizes that the United Nations has placed certain obligations and responsibilities on the Provisional Government of Israel and it is not unreasonable that this Government should request the privileges and advantages of membership in the United Nations. We should like to give immediate consideration to this request but, in the circumstances surrounding the termination of the session of the General Assembly in Paris, we have found it more difficult than we expected to give this application the careful consideration which we find to be necessary. I shall give one example of the kind of problem that has arisen for us.

In the course of the discussions which have taken place here and in the Committee on Membership concerning the application of Israel for membership in the United Nations, the boundaries of the area under the control of the Israeli authorities have been mentioned on a number of occasions. The Canadian delegation does not think it necessary to delay action on the Israeli application until boundaries have been finally established. The question of boundaries, however, has been raised in a manner which we think requires reflection.

If I understand correctly the remarks which have been made on this aspect of the question by the representatives of the U.S.S.R. and of the Ukraine, these representatives regard the Assembly resolution of November 29 as definitive and binding in every regard, including boundaries. In his statement before the Security Council on Wednesday last, the representative of the U.S.S.R. said:

"In our opinion, the territory of the State of Israel has been determined and delimited by an international instrument, that is, the resolution of the General Assembly of 29 November, 1947, which has not been revoked by anybody, and which remains in force. Not only does that resolution delimit the territory and boundaries of the State of Israel, but the resolution has a map appended to it, which can be consulted at any moment by any member of the Security Council or by anybody else. Thus, this question is undubitable."

I am not sure, however, what the representative of the U.S.S.R. intends in regard to boundaries. In his statement on Wednesday, to which I have already referred, he used the word "enforcement" in relation to these boundaries. He may, therefore, believe that the Security Council should take action to make sure that the Israeli authorities withdraw from all areas which are not assigned to them by the November 29 resolution and that, without reference to the realities of the situation in Palestine, the Security Council should also adopt measures to bring an Arab State into existence, by force if necessary, to take over the territories not assigned to the Jewish State under the November 29 resolution. It would be logical to assume also, that he considers that the Security Council should take the necessary steps to enforce economic union and all the other details of the November 29 resolution.

It seems to us that it would be extremely difficult to carry out the programme which is implied by the statement by the representative of the U.S.S.R. which I have quoted. I am not sure either that the Provisional



Government of Israel would wish to be made a member of the United Nations on these terms, or that the process of settlement in Palestine would be assisted by accepting the implications of this statement.

The position of the Canadian delegation is somewhat different. We regard the Assembly resolution as having the force of a recommendation, and we do not consider that the settlement which we hope will emerge soon in Palestine need conform precisely to any resolution of the Assembly. On the contrary, we consider that the Conciliation Commission recently established by the Assembly should be within the general principles laid down by the resolution of the Assembly, to seek a settlement in Palestine on any basis on which agreement amongst the parties can be reached.

This aspect of the question is, as I have already indicated, one to which we should like to give attention in detail. We do not wish to defer consideration of the Israeli application indefinitely. We should be grateful, however, for an opportunity to give the question more careful consideration. I hope, therefore, that the Council will not insist on taking a vote now on the Israeli application. I am impressed also by the reasons which the representative of France has given for a further brief delay, and I therefore give my support to the proposal which he has placed before the Council.



## Appendix III

### A. Extract from Canadian Statement, Second Committee, October 18, 1948: Work of the Economic and Social Council.

The Canadian delegation will not attempt at this session to pass broad judgement on the work of the Economic and Social Council. It is too early in the life of the Council for us to do so. After all, the Council has not been able to do more than take its first steps. It has established its machinery; it has begun to collect and to edit economic information; its first surveys have been published.

However, if we have not yet found in ECOSOC a cure for the world's economic ills, we have at least been permitted to gain from the fine work of the economic secretariat and also from some of the commissions, a clearer conception than has heretofore been possible, concerning the nature of these ills and also some knowledge of their extent. It has been shown to us, if we need showing, that in the economic world an ill wind blows good to no one. Nevertheless, the great tasks of the Economic and Social Council remain to be attempted and it is when those tasks have been tackled that judgment can best be passed.

There is something relating to organization which we should say. The Economic and Social Council has decided that both regional and functional agencies will be employed in the conduct of its economic affairs. In the Canadian view, it is of the utmost importance that great care and close attention be given unceasingly to the division of the duties which the regional and functional organizations are respectively to perform and to the co-ordinating of their activities.

A clear division of responsibility for the work to be done by the regional and functional commissions is obviously essential to ensure that everything that needs to be done is being done somewhere, and by the agency best qualified to do it. This clear division is equally important for the purpose of avoiding the same work being done twice over, with all the confusion and expense that accompany duplication. We foresee considerable difficulty in bringing about effective co-ordination. We suggest the difficulty can be met not merely by providing that the commissions report frequently and fully to the Council, or indeed to each other, but also by making sure that there is close working contact, not only between the heads of commissions, but between the staffs of the various agencies at working levels.

We ought, however, to keep clearly in mind that there is far more at stake than order and economy. What is at stake is nothing less than the unity of purpose, the comprehensive world outlook, that has been the goal of the United Nations and must still, despite discouragements, remain the goal.

Most of us consider that in the economic field the prospects are at least as good as anywhere for us, some day, to establish real and living co-operation between all member states. Moreover, we have to recognize that in the same field the dangers of narrow sectionalism are likewise present. It is for this reason that the Canadian delegation emphasizes the vital importance of the division of responsibilities, and of co-ordination between

the functional and regional agencies, and urges that our judgment in both manners be guided by a zealous concern for the ideals of United Nations.

It is not necessary, in our opinion, to make a detailed reply to the criticisms and attacks of the Soviet delegate on the Charter of the International Trade Organization.

These Soviet complaints are not new; they have gained nothing by this latest of many repetitions. Their refutation has been complete over and over again. They have been refuted word by word, line by line.

We *do* consider that those of us who have worked so long, so hard, so successfully to establish the I.T.O. and to conclude the Tariff Agreements need to make it quite clear to the Soviet representatives that we, the 54 nations that have signed the Final Act of Havana, are quite capable of protecting the interests of the people we represent. The help of the Soviet authorities in this respect is not necessary. We believe we ourselves to be better judges of what is in the interest of our own people than are the critical Soviet representatives.

Canada signed the Final Act in Havana because we were convinced that it was in our interest and the world interest to sign it. It was a true agreement; true in the sense that *we* think of an agreement; that is, one where no party to it insists on receiving every possible benefit for himself, but one wherein each is prepared to forego some advantages for the general good, one which meets the reasonable, the moderate, and often the modified needs of each for the benefit of all.

Fifty-four nations in all signed the Final Act, but it appears that these 54 were not able, while reaching a large area of agreement among themselves, to satisfy the Soviet Union. It appears that in this great example of international co-operation, we were unable to meet the unique, and peculiar, requirements for international co-operation which the Soviet Union lays down. That is a pity, but if the 55th nation cannot see its way clear to co-operate then the 54 will have to do the best they can without it. . . .

## **B. Canadian Statement, General Assembly, December 10, 1948: Declaration of Human Rights.**

Before a vote is taken on the Draft Declaration on Human Rights in the form which it has now taken, I wish to make clear the attitude which the Canadian government adopts, generally, towards it.

In the first place, we regard this document as one inspired by the highest ideals; as one which contains a statement of a number of noble principles and aspirations of very great significance which the peoples of the world will endeavour to fulfil, though they will make these efforts variously, each nation in its own way and according to its own traditions and political methods. In an imperfect world, it is clearly impossible to secure a perfect application of all these principles immediately. The Charter itself commits the members of the United Nations to principles which are not yet applied uniformly throughout the world. The difficulties in the way of a full and universal application of the principles of the Declaration of Human Rights will be even more complex. We must, however, move towards that great goal.

The Draft Declaration, because it is a statement of general principles, is unfortunately, though no doubt unavoidably, often worded in vague



and imprecise language. We do not believe in Canada that legislation should be placed on our statute books unless that legislation can indicate in precise terms the obligations which are demanded of our citizens, and unless those obligations can be interpreted clearly and definitely in the courts. Obviously many of the clauses of this Draft Declaration lack the precision required in the definition of positive obligations and the establishment of enforceable rights. For example, Article 22<sup>1</sup> which gives the right to public employment to people irrespective of political creed might, unless it is taken in conjunction with Article 31<sup>2</sup>, be interpreted as implying an obligation to employ persons in public service even if it was their stated and open desire and intention to destroy all the free institutions which this Declaration of Rights is intended to preserve and extend. Without those free institutions, which can only flourish in a liberal democratic society, there can be no human rights.

It is our view that some of the difficulties and ambiguities in this Declaration might have been removed had this document been reviewed by a body of international jurists, such as the International Law Commission, before final action was taken by the General Assembly; and we regret that the general desire to expedite this important matter has made such a reference impossible. If the Soviet delegation had had this in mind in their amendment, we would have been able to support it. But in their speeches, Mr. Vishinsky and Mr. Manuisky showed that, for them, a reconsideration of this Declaration would merely mean a further attempt to include in it ideas which, in our view, are far removed from human rights: as far removed as a town meeting from a slave labour parade. We do not accept—and never will accept—the doctrine that the rights of man include only those which are sanctioned and sanctified by communist doctrine; that all other rights are to be outlawed as “fascist”, a word which once had a clear, if dread meaning in the dictionary of despotism, but which now has become blurred by its abuse to cover any person or any idea of which communism does not approve.

So far as the position of Canada in regard to the maintenance and extension of human rights is concerned, we shall, in the future, as we have in the past, protect the freedom of the individual in our country where freedom is not only a matter of resolutions but also of day-to-day practice from one end of the country to the other.

The freedoms to which I refer have developed in Canada within the framework of a system of law derived both from statutes, and from the judgments of the courts. We have depended for the protection of the individual upon the development of this system rather than upon general declarations. Because this method is in accord with our tradition, we shall continue to depend on it and to expand it as the need may arise. While we now subscribe to a general statement of principles such as that contained in this Declaration, in doing so we should not wish to suggest that we intend to depart from the procedures by which we have built up our own code under our own federal constitution for the protection of human rights.

In this regard, there is a special circumstance which applies to Canada. When some of the articles of the Draft Convention were adopted in committee, the Canadian delegation abstained, explaining that the subject under consideration was in some of its important aspects within the field

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<sup>1</sup> Article 21 in text of the Declaration as finally adopted.

<sup>2</sup> Article 30 in text as finally adopted.



of provincial jurisdiction in Canada. I wish to make it clear that, in regard to any rights which are defined in this document, the federal government of Canada does not intend to invade other rights which are also important to the people of Canada, and by this I mean the rights of the provinces under our federal constitution. We believe that the rights set forth in this Declaration are already well protected in Canada. We shall continue to develop and maintain these rights and freedoms, but we shall do so within the framework of our constitution which assigns jurisdiction in regard to a number of important questions to the legislatures of our provinces.

Because of these various reservations on details in the Draft Declaration, the Canadian delegation abstained when the Declaration as a whole was put to the vote in committee. The Canadian delegation, however, approves and supports the general principles contained in the Declaration and would not wish to do anything which might appear to discourage the effort, which it embodies, to define the rights of men and women. Canadians believe in these rights and practice them in their communities. In order that there may be no misinterpretation of our position on this subject therefore, the Canadian delegation, having made its position clear in the committee, will, in accordance with the understanding I have expressed, now vote in favour of the resolution, in the hope that it will mark a milestone in humanity's upward march.

**C. Universal Declaration of Human Rights, approved by the Third Session of the General Assembly of the United Nations, December 10, 1948, (and accompanying resolutions).**

*Preamble*

Whereas, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world;

Whereas, disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people;

Whereas, it is essential if man is not to be compelled to have recourse as a last resort to rebellion against tyranny and oppression that human rights should be protected by the rule of law;

Whereas, it is essential to promote the development of friendly relations between nations;

Whereas, the people of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, and have determined to promote social progress and better standards of life in larger freedom;

Whereas, member states have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms;

Whereas, a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

*The General Assembly*

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the people of Member States themselves and among the peoples of territories under their jurisdiction.

*Article 1*

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience, and should act towards one another in a spirit of brotherhood.

*Article 2*

Everyone is entitled to all the rights and freedoms set forth in this declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional, or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

*Article 3*

Everyone has the right to life, liberty and security of person.

*Article 4*

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

*Article 5*

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

*Article 6*

Everyone has the right to recognition everywhere as a person before the law.

*Article 7*

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this declaration and against any incitement to such discrimination.

*Article 8*

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

*Article 9*

No one shall be subjected to arbitrary arrest, detention or exile.



*Article 10*

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

*Article 11*

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

*Article 12*

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

*Article 13*

1. Everyone has the right to freedom of movement and residence within the borders of each state.

2. Everyone has the right to leave any country, including his own, and to return to his country.

*Article 14*

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

*Article 15*

1. Everyone has the right to a nationality.

2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

*Article 16*

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2. Marriage shall be entered into only with the free and full consent of the intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

*Article 17*

1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.



*Article 18*

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

*Article 19*

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

*Article 20*

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

*Article 21*

1. Everyone has the right to take part in the Government of his country, directly or through freely chosen representatives.
2. Everyone has the right of equal access to public service in his country.
3. The will of the people shall be the basis of the authority of Government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

*Article 22*

Everyone, as a member of society, has the right to social security and is entitled to the realization, through national effort and international co-operation and in accordance with the organization and resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

*Article 23*

1. Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favorable remuneration, insuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

*Article 24*

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

*Article 25*

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in

the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

#### *Article 26*

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

#### *Article 27*

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

#### *Article 28*

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realized.

#### *Article 29*

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

#### *Article 30*

Nothing in this declaration may be interpreted as implying for any state, group or person, any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



## B.

*Resolution relating to the right of petition*

*The General Assembly,*

*Considering* that the right of petition is an essential human right as is recognized in the constitution of a great number of countries,

*Having considered* the draft article on petitions in document A/C.3/306 and the amendments offered thereto by Cuba and France,

*Decides* not to take any action on this matter at the present session;

*Requests* the Economic and Social Council to ask the Commission on Human Rights to give further examination to the problem of petitions when studying the draft Covenant on Human Rights and measures of implementation, in order to enable the General Assembly to consider what further action, if any, should be taken at its next regular session regarding the problem of petitions.

## C.

*Resolution relating to the fate of minorities*

*The General Assembly,*

*Considering* that the United Nations cannot remain indifferent to the fate of minorities,

*Considering* that it is difficult to adopt a uniform solution of this complex and delicate question, which has special aspects in each State in which it arises,

*Considering* the universal character of the Declaration of Human Rights,

*Decides* not to deal in a specific provision with the question of minorities in the text of this Declaration;

*Refers* to the Economic and Social Council the texts submitted by the delegations of the Union of Soviet Socialist Republics, Yugoslavia and Denmark on this subject contained in document A/C.3/307/Rev. 2 and requests the Council to ask the Commission on Human Rights and the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities to make a thorough study of the problem of minorities in order that the United Nations may be able to take effective measures for the protection of racial, national, religious or linguistic minorities.

## D.

*Resolution relating to publicity to be given to the  
Universal Declaration of Human Rights*

*The General Assembly,*

*Considering* that the adoption of the Universal Declaration of Human Rights is an historic act destined to consolidate world peace through the contribution of the United Nations towards the liberation of individuals from the unjustified oppression and constraint to which they are too often subjected,

*Considering* that the text of the Declaration should be disseminated among all peoples throughout the world;



1. *Recommends* Governments of Member-States to show their adherence to Article 56 of the Charter by using every means within their power solemnly to publicize the text of the Declaration and to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories;

2. *Requests* the Secretary-General to have this Declaration widely disseminated and, to that end, to publish and distribute texts, not only in the official languages, but also, using every means at his disposal, in all languages possible;

3. *Invites* the specialized agencies and non-governmental organizations of the world to do their utmost to bring this Declaration to the attention of their members.

#### E.

##### *Resolution relating to the preparation of a draft Covenant and draft measures of implementation*

*The General Assembly,*

*Considering* that the plan of work of the Commission on Human Rights provides for an International Bill of Human Rights, to include a Declaration, a Covenant on Human Rights and measures of implementation,

*Requests* the Economic and Social Council to ask the Commission on Human Rights to continue to give priority in its work to the preparation of a draft Covenant on Human Rights and draft measures of implementation.

## Appendix IV

### (A) Canadian Statement, Fifth Committee, September 26, 1948: Budget of the United Nations.

As other speakers before me, I have no intention of entering into a detailed analysis of the Budget nor of the Canadian position in relation to the other financial questions with which this Committee will have to deal. However, I do wish to intervene briefly to express my Government's general approval of the way in which those primarily concerned with the financial administration of the United Nations have carried out their tasks. I refer particularly to the Secretary-General and his subordinate officials, to the Advisory Committee, and to the Board of Auditors. There are, I am sure, many others whose work should be commended, but I am mentioning only those whose efforts come most obviously to attention.

It is unnecessary to indicate the importance my Government attaches to this question. From the beginning of the United Nations we have constantly emphasized the necessity for, and have supported, measures directed towards achieving efficient and economical standards for financial administration. We think a great deal of progress has already been made towards this end and we hope that this Committee, during its deliberations, may make some further contributions. In this connection, we were particularly happy to hear the Secretary-General state that, with one exception, he is prepared to accept the recommendations of the Advisory Committee. This spirit of co-operation and accommodation is to be highly commended. We hope it may be reflected in our discussions in this Committee.

In general my delegation approves the Budget and other financial recommendations, *subject to revision in the light of the recommendations of the Advisory Committee and the Board of Auditors*. There will, of course, be a few items—mainly minor ones—on which we intend to make further suggestions for budgetary revisions. I do not propose to comment in detail on any of these items now as they can best be discussed in their proper context.

There are, however, two general observations which I should like to make at this time. In our opinion they are exceedingly important and merit the attention which I am sure will be given to them. The first has already been mentioned by a number of previous speakers, but I think that its great importance warrants some repetition here. It relates to the control of expenditures originating in the United Nations, its subsidiary organs, and the specialized agencies. The Chairman of the Advisory Committee and the representative of the United Kingdom have spoken of the necessity for national *delegations to maintain a consistent policy in all bodies of which they are members and to refrain from putting forward proposals which are not of an urgent nature and which might have the result of dissipating the limited resources available for essential international activity on projects which do not have a high priority*. With this suggestion the Canadian delegation is *in complete accord*. Nevertheless, in our desire for proper control and economy I would hope that we will not go to the opposite extreme and adopt the suggestion which the South African delegation seemed to make on this question. I understood him to recommend that a "work planning



committee" with broad powers to examine and exercise financial control over all the activities of the United Nations and specialized agencies might be necessary and desirable. As I recall, this matter was discussed at length last year, and it was as a result of those discussions that the Advisory Committee has reported to us on it. I wish to say now that my delegation strongly supports the conclusions reached by the Advisory Committee, that no further machinery should be created at this time.

In reaching this conclusion I am particularly mindful of the progress that has already been achieved towards attaining proper co-ordination in the works programmes and the financial procedures of the United Nations and the Agencies. In our opinion it is by such co-ordination, and by the exercise by national delegations of restraint and responsibility in putting forward proposals involving heavy expenditures that we shall attain the control over expenditures that is necessary. In this connection I should also like to refer briefly to the action taken by the Economic and Social Council, at its seventh session (just concluded), at which it approved a revision of its rules of procedure designed to bring the financial implications of proposals more quickly and forcibly to attention and also approved a resolution which lays stress on the principle that expenditures should be clearly limited to those for which provision has been made in the U.N. Budget, this latter principle to be waived only in cases of urgency specifically designated by the Council. It is our feeling that this move on the part of the Economic and Social Council goes far towards introducing a closer measure of financial control over its own activities, which represent a large proportion of the total expenditures of the United Nations. I have not yet seen any reference to this Council action in the documents before the Committee, but presumably this has been due to the late date at which the Council completed its work, and will be received later. However, I felt it necessary to mention this matter now because it is the feeling of my delegation that before more extensive or far-reaching suggestions are put forward the new procedure suggested by the Economic and Social Council should be given an opportunity to demonstrate its usefulness, and its application to the activities of the other Councils should be considered.

There is one other matter to which I would draw attention at this time. As you are all aware, there are now within the United Nations system a number of regional commissions, whose work is assuming an ever-increasing importance in the range of U.N. activities and whose expenditures show corresponding increases. Although Canada is not a member of any of these regional bodies, for reasons which are clearly known to all, we have taken a great interest in their activities. At the seventh session of the Economic and Social Council, just concluded, we felt it necessary to draw attention to the fact that unless steps are taken now to clarify certain of the financial aspects of the activities of the regional commissions they might ultimately give rise to certain procedural difficulties. As you know, the terms of reference of the regional economic commissions provide that their "administrative" expenditures shall be financed from the budgets of the United Nations. It is our feeling that an effort should now be made by the Secretary-General, and also possibly to the Advisory Committee, to study this matter and to recommend clear principles and procedures for determining those expenditures of the regional economic commissions which are to be considered as "administrative" and those which are not. I wish, Mr. Chairman, to assure my colleagues that in raising the question in the



Fifth Committee I have no desire to limit in any way the activities of these commissions. I know they are doing useful and important work, but I do feel that unless this particular question is considered fully, and proper procedures evolved, we may find ourselves in grave procedural difficulties in the future. It is not an issue which gives rise to immediate problems and perhaps therefore it will not require detailed discussion this session. My delegation felt, however, that it should be mentioned now so that this Committee might be appraised of the existence of this still theoretical question. I hope, however, that the Secretary-General, the Advisory Committee, and other delegations, will take note of this prospective problem, and will give it consideration in the course of their future work.

There are other matters on which my delegation will wish to make comments at a later stage but for the present we wished to make these preliminary remarks.

#### **B. Canadian Statement, Fifth Committee, September 29, 1948: Scale of Contributions.**

There are two separate proposals before us and I agree that they are organically related. In the opinion of my delegation the decision on the question of ceilings must vitally affect any decision we may finally make on the Report of the Committee on Contributions. I shall therefore first make certain general observations on the question of a ceiling.

The representative of the United States has requested that consideration should now be given to the establishment of a ceiling on the contribution of the United States. We understand the reasons for this request and we are in general agreement that the establishment of such a ceiling would be in the interests of the United Nations. We are also mindful of the fact that the United States has generously agreed these past two years to contribute a higher share of the budget than the proposed ceiling because of their recognition of the fact that many countries recovering from the effects of the war would have found it difficult, if not impossible, to increase their contributions at that time.

However, although we are in general agreement with the United States position on this matter, we feel that it would not be wise and indeed that it would be most impracticable to attempt to implement it before a more general revision of the scales of contribution is effected. Furthermore we feel that it would not be desirable to move too rapidly toward establishment of an absolute ceiling, but rather to consider it as an ultimate objective, to be attained as others are more able to bear the additional costs. For that reason, we were pleased that the United States representative formulated his recommendations on the basis that commencing in 1950, there will be a series of gradual reductions which, over a period of years, will result in the United States contribution being set at the desired figure.

There is, however, one major qualification which we must make at this time. It is the opinion of the Canadian delegation that under no circumstances should any country be required to make a greater per capita contribution to the budget of the United Nations than the United States or any other country which has reached the ceiling figure. Not only would it be most inequitable, but we would find it exceedingly difficult to justify to our parliament a payment which was higher on a per capita basis than

that of the United States. Accordingly, we shall support the United States position on this question, subject to the willingness of this Committee to accept as a corollary the principle that a ceiling shall be placed on the contributions of other Governments whose per capita contribution would therefore exceed that of the United States.

I submit that the acceptance of this principle need occasion no practical difficulties. A new formula could be devised and procedures worked out for computing contributions on a basis similar to those which were adopted when a ceiling was originally set on the contribution of the United States. It would merely necessitate the establishment of basic statistical series to reflect capacity to pay. This series would then be modified by reducing first the contribution of the United States to the general ceiling, and second, the contributions of other countries to a comparable per capita ceiling. Compensating adjustments would of course be made in the contributions of all other countries. I do not wish, Mr. Chairman, to unduly complicate this matter, but I think you will agree that the Canadian suggestion is a reasonable and equitable one, and introduces no insurmountable administrative difficulties. Accordingly, I hope that it will receive the support of other members of this Committee.

Having expressed our opinion on this general question, and assuming that this Committee will be studying this question further I should like the Canadian point of view on this question to be taken into consideration.

Now, Mr. Chairman, on the broader question of the contributions scale; last year when this Committee discussed the Report of the Committee on Contributions, the Canadian delegation agreed to accept its recommendations. Although we were not fully convinced that the scale adopted was fully equitable, we felt that it was probably the best that could be devised with the information available at that time. It was, however, our hope that by 1948 the Committee on Contributions would be in a position to recommend a scale which would be more in keeping with the facts, and which would more accurately reflect "capacity to pay" as defined in the Committee's terms of reference. Although we appreciate the difficulties which have made this impossible, we cannot help but express our profound disappointment at the absence of more definitive recommendations in the report which is before us today.

As you know, the share which Canada has assumed of the budget of the United Nations is an exceedingly heavy one in relation to our size, population and national income. By objective standards it is, in our opinion, higher than we should be required to pay. Nevertheless we have been quite happy to accept this additional load during the difficult post-war period because we have recognized the particular problems facing those nations devastated by the war, and because we have realized that, in many respects, Canada had been fortunate. We have gone further. In addition to paying a relatively heavy share of the budget of the United Nations we, along with certain other countries, have contributed large sums toward assisting other governments to overcome the difficulties brought on by the war. Now we feel that the time has come when it should be recognized that, to some extent at least, the dislocations and devastations of war are being overcome, and therefore the special exemptions granted to many countries should be subject to modification to reflect, in some small measure at least, the improvement in their position. We feel that our acquiescence in the original scales should not create a precedent which



would prejudice the establishment of more equitable scales at the earliest possible date. There are many countries which, by their own admission and by statements which have been given wide publicity, have admitted great improvement in their economic and financial position. While this situation is unfortunately, not universal, it is our opinion that, as quickly as possible, those countries should begin to absorb their fair share of the cost of maintaining this organization.

The Canadian delegation has expressed itself positively on this question because we feel strongly about it.

Nevertheless, Mr. Chairman, we recognize that since the Committee on Contributions has not made definitive recommendations in its Report it would create serious procedural difficulties if we were to insist that the Fifth Committee attempt to develop a new scale on its own. Unless, therefore, this Committee decides that, despite the obvious difficulties, such an attempt will be made, we shall not press this year for the revisions which we consider are overdue but will conditionally agree to accept the recommendations of the Committee on Contributions that, for 1949, the existing scale, with minor modifications be adopted. In doing so, however, we must express the hope, or indeed, make the recommendation that a revised scale based upon the best statistics available should be put forward by the Committee on Contributions in its report next year so that by 1950, at the latest, the United Nations may have a more suitable basis for assessments. In this connection, we have noted that twelve countries accounting for 70% of the total contributions have published national income figures for 1947, and twelve others accounting for 13½%, had published estimates for 1946 or 1945. It is our impression that this represents an important proportion of the total contributions and we therefore feel that, regardless of whether a fully satisfactory scale can be devised next year, there can be important improvements on the existing scale. Accordingly, Mr. Chairman, in signifying our qualified willingness to accept the recommendations for 1949 of the Committee on Contributions, we wish it to be known that we do so in a spirit of co-operation and accommodation, and with a desire to expedite the work of this Committee. We expect however that our desires for the future will be carefully taken into consideration by other delegations and by the Committee on Contributions. We must of course reserve the unqualified right to alter our position if, in the course of this discussion suggestions are made by other delegations which, if accepted, might involve significant variations in the present scales. Under no circumstances could my Government consider any contribution which would further increase the inequities within the present scale, and you will therefore appreciate that once the question of detailed changes is re-opened, we shall have to take a course which will safeguard our position.



## Appendix V

### A. Canadian Statement, Sixth Committee, December 7, 1948: Chilean Complaint against the U.S.S.R.

The Canadian delegation is in agreement with the Chilean delegation in the action which it has taken to bring before the United Nations a clear violation of the fundamental human rights to the guarantee of which members of the United Nations are committed by the Charter. My delegation wishes in particular to express its sympathy with the distinguished delegate of Chile, who has suffered so grievously himself from this violation of the right of a family to live together, a right which is the basis of society in all civilized countries—a right to which the Soviet Union, by its own laws and by its continuous instruction to its citizens, claims to be no less devoted than the other members of the United Nations.

While the Soviet Government has enacted increasingly strict legislation to strengthen the family and to discourage divorce in its own country, it has, on the other hand by the attitude it has adopted toward foreigners, broken up the families of persons legitimately married and created situations in which divorce has become inevitable. By refusing to grant exit visas, and by the exercise of those forms of pressure and intimidation which are the normal practice of the Soviet authorities, the Soviet Government has driven towards divorce husbands and wives who wish to live together and for whom divorce is contrary to moral and religious conviction.

We in Canada have had some experience with the paradoxical attitude adopted by the Soviet Union to the institution of the family. I have in mind the specific case of a former member of the staff of the Canadian Embassy in Moscow whose wife endeavoured for two years to secure an exit visa to join her husband and who eventually had to resort to divorce in circumstances similar to those which I have mentioned.

It is not only in its attitude towards Canadians who have recently married Soviet citizens that the Soviet Government has displayed its inhumanity. We too have experienced the frustration to which the delegate of the United States referred in seeking to communicate with Canadian citizens who find themselves—in many cases because of the misfortunes of war—trapped within the enlarged boundaries of the Soviet Union. Our persistent endeavours to reunite these persons with their families in Canada have been met with procrastination, prevarication, and in some cases with persecution of the persons concerned.

The Soviet authorities have never offered valid reasons for their behaviour. The Soviet delegate in this Committee has offered no answer now to the charges made by the Chilean and other delegates. Instead he has produced stale accusations and imaginative tales of happenings inside and outside his country, none of which is likely to appeal to those acquainted with the true facts of the cases which he has mentioned. It is perhaps not necessary for the Soviet delegate to give us the real reason, for it is—if I may borrow a Soviet phrase—well known. The Soviet Government consistently seeks to persuade its citizens that they enjoy a standard of life superior to that of any other country in the world. This illusion must not be destroyed

as it certainly would be, by contact with foreigners. As few Russians as possible must be allowed to go abroad, and none should be allowed to hope that he or she might escape from his rigorous life by marrying a foreigner—not even a citizen of those neighbouring states which are seeking to adopt the Soviet way of life.

My delegation is in agreement with the view cogently expressed yesterday by the delegates of Egypt and France. This is a question of the violation of fundamental human rights and the dignity and worth of the human person which we are all bound by the Charter to respect. I propose, therefore, to support the Chilean Resolution with the amendments proposed by Uruguay and France. Questions rightly have been raised in the Committee concerning the degree to which diplomatic privileges and immunities extend to the family of the Head of a Foreign Mission and as to whether the action of the Soviet Government in cases such as that raised by the Chilean delegate are breaches of international law. I am willing to agree with the proposal of the Australian delegation to refer these matters to the International Court of Justice, provided that such action is not considered simply as a means of disposing of the question. But whatever the Court might decide on the legal aspects of this case, we are here and now in a position to state that there has been a violation of the Charter by the Soviet Government and to ask the Soviet Government to rectify the wrong which they have done to all those who have been the victims of their policy with regard to persons within the Soviet Union who wish to join their families abroad.

Although, for these reasons, I do not wish to enter into the legal aspects of this matter, I should like to comment briefly on what the French delegate has referred to in his amendment as “excessive restrictions on diplomatic practices and also on the principle of reciprocity”. I think that we should bear in mind, in judging the matter under discussion, that it is only one instance of the disregard of the principle of reciprocity in diplomatic relations practised by the Soviet authorities. The Soviet delegate has expressed surprise that the Chilean delegate has been so ungracious as to propose his resolution after he had enjoyed two years “hospitality” in Moscow. Mr. Pavlov must know, however, that his Government has increasingly abandoned the traditions of Russian hospitality by the discrimination it has practised against foreign diplomats and that foreign governments have shown the greatest forbearance in refusing to retaliate. There is surely no other government among the members of the United Nations which seeks to confine foreign diplomats to its capital city, which prevents its citizens from having any contact with the foreigners in its midst, which denies adequate customs privileges, which obliges foreigners to buy its currency at an outrageous rate of exchange arbitrarily applied and even on occasion confiscates the holdings of that currency by foreign missions. To justify these practices, and others more serious still which I shall not enumerate, the Soviet Government trumps up charges of spying which, in the eyes of the Canadian delegation are singularly inappropriate for the Soviet Government to level against any other countries.

My reason for mentioning Soviet behaviour towards diplomats in Moscow is simply to show that the case which has been brought to our attention is only one flagrant example of Soviet policy in this regard—a policy which is practised as much by subterfuge as by openly avowed discrimination. Such practices are in no way consistent with the obligations



of a country which has subscribed to the United Nations Charter, and the Assembly of the United Nations has every right to declare its disapproval in at least one case by supporting the complaint of the Chilean delegation.

## **B. General Assembly Resolutions, December 9, 1948: Prevention and Punishment of the Crime of Genocide.**

### **A.**

*Resolution relating to the adoption of the Convention on the Prevention and Punishment of the Crime of Genocide, and text of the Convention*

#### *The General Assembly*

*Approves* the annexed Convention on the Prevention and Punishment of the Crime of Genocide and proposes it for signature and ratification or accession in accordance with its Article XI.

### **ANNEX**

#### **CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE**

#### *The Contracting Parties,*

*Having Considered* the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December, 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

*Recognizing* that at all periods of history genocide has inflicted great losses on humanity; and

*Being convinced* that, in order to liberate mankind from such an odious scourge, international co-operation is required;

*Hereby agree as hereinafter provided:*

### **ARTICLE I**

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

### **ARTICLE II**

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.



## ARTICLE III

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

## ARTICLE IV

Persons committing genocide or any of the other acts enumerated in Article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

## ARTICLE V

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in Article III.

## ARTICLE VI

Persons charged with genocide or any of the other acts enumerated in Article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

## ARTICLE VII

Genocide and the other acts enumerated in Article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

## ARTICLE VIII

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III.

## ARTICLE IX

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or any of the other acts enumerated in Article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

## ARTICLE X

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of.....

## ARTICLE XI

The present Convention shall be open until 31 December, 1949, for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January, 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

## ARTICLE XII

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

## ARTICLE XIII

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a *procès-verbal* and transmit a copy of it to each Member of the United Nations and to each of the non-member States contemplated in Article XI.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

## ARTICLE XIV

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

## ARTICLE XV

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

## ARTICLE XVI

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

## ARTICLE XVII

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in Article XI of the following:

- (a) Signatures, ratifications and accessions received in accordance with Article XI;
- (b) Notifications received in accordance with Article XII;
- (c) The date upon which the present Convention comes into force in accordance with Article XIII;
- (d) Denunciations received in accordance with Article XIV;
- (e) The abrogation of the Convention in accordance with Article XV;
- (f) Notifications received in accordance with Article XVI.

## ARTICLE XVIII

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to all Members of the United Nations and to the non-member States contemplated in Article XI.

## ARTICLE XIX

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

## B.

*Resolution relating to the study by the International Law Commission  
of the question of an international criminal jurisdiction*

*The General Assembly,*

*Considering* that the discussion of the Convention on the Prevention and Punishment of the Crime of Genocide has raised the question of the desirability and possibility of having persons charged with genocide tried by a competent international tribunal,

*Considering* that, in the course of development of the international community, there will be an increasing need of an international judicial organ for the trial of certain crimes under international law,



*Invites* the International Law Commission to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction will be conferred upon that organ by international conventions;

*Requests* the International Law Commission in carrying out this task to pay attention to the possibility of establishing a Criminal Chamber of the International Court of Justice.

C.

*Resolution relating to the application of the Convention on the  
Prevention and Punishment of the Crime of Genocide  
with respect to dependent territories*

*The General Assembly* recommends that Parties to the Convention on the Prevention and Punishment of the Crime of Genocide which administer dependent territories, should take such measures as are necessary and feasible to enable the provisions of the Convention to be extended to those territories as soon as possible.

## Appendix VI

### Members of the Atomic Energy Commission, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice and of Standing Committees of the General Assembly.<sup>1</sup>

#### ATOMIC ENERGY COMMISSION

##### *Permanent Members*

Canada  
China  
France  
U.S.S.R.  
United Kingdom  
United States

##### *Non-Permanent Members*

Two-Year Term: Cuba  
Egypt  
Norway  
  
One-Year Term: Argentina  
Ukrainian S.S.R.

#### SECURITY COUNCIL

##### *Permanent Members*

China  
France  
U.S.S.R.  
United Kingdom  
United States

##### *Non-Permanent Members*

Two-Year Term: Cuba  
Egypt  
Norway  
  
One-Year Term: Argentina  
Canada  
Ukrainian S.S.R.

#### ECONOMIC AND SOCIAL COUNCIL

Byelorussian S.S.R., Lebanon, New Zealand, Turkey, United States and Venezuela, to serve until December 31, 1949.

Australia, Brazil, Denmark, Poland, U.S.S.R., United Kingdom, to serve until December 31, 1950.

Belgium, Chile, China, France, India and Peru to serve until December 31, 1951.

##### *(i) Economic and Employment Commission:*

Representatives of Australia, Belgium, Brazil, Byelorussian S.S.R., Canada, China, Cuba, Czechoslovakia, France, India, Norway, Poland, U.S.S.R., United Kingdom, United States.

*Sub-Commission on Employment and Economic Stability:* Experts from Australia, France, Norway, Poland, U.S.S.R., United Kingdom, United States, to serve until December 31, 1949.

*Sub-Commission on Economic Development:* Experts from Brazil, China, Czechoslovakia, India, Mexico, U.S.S.R., United States to serve until December 31, 1949.

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<sup>1</sup> Membership as of January 1, 1949, is given unless otherwise stated. For membership of these organs during 1948 see *Canada at the United Nations, 1947*, Dept. of External Affairs, Conference Series 1947 No. 1, pp. 272-276.

(ii) *Transport and Communications Commission:*

Representatives of Chile, China, Czechoslovakia, Egypt, France, India, Netherlands, Norway, Poland, Union of South Africa, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia.

(iii) *Fiscal Commission:*

Representatives of Belgium, China, Colombia, Cuba, Czechoslovakia, France, Lebanon, New Zealand, Pakistan, Poland, Ukrainian S.S.R., Union of South Africa, U.S.S.R., United Kingdom, United States.

(iv) *Statistical Commission:*

Representatives of Canada, China, France, India, Mexico, Netherlands, Norway, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States.

*Sub-Commission on Statistical Sampling:* Experts from France, India, U.S.S.R., United Kingdom, United States to serve for an indeterminate period.

*Committee on Statistical Classification:* Experts from Canada, China, France, Netherlands, Norway, U.S.S.R., United Kingdom, United States.

(v) *Population Commission:*

Representatives of Australia, Brazil, Canada, China, France, Netherlands, Peru, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Yugoslavia.

(vi) *Social Commission:*

Representatives of Canada, China, Colombia, Denmark, Ecuador, France, India, Iraq, Netherlands, New Zealand, Peru, Poland, Turkey, Union of South Africa, U.S.S.R., United Kingdom, United States, Yugoslavia.

(vii) *Commission on Human Rights:*

Representatives of Australia, Belgium, Chile, China, Denmark, Egypt, France, Guatemala, India, Iran, Lebanon, Philippine Republic, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia.

*Sub-Commission on Freedom of Information and the Press:* Experts from Canada, China, Czechoslovakia, France, Netherlands, Norway, Panama, Philippine Republic, U.S.S.R., United Kingdom, United States, Uruguay.

*Sub-Commission on Prevention of Discrimination and Protection of Minorities:* Experts from Australia, Belgium, China, Ecuador, France, Haiti, India, Iran, Sweden, U.S.S.R., United Kingdom, United States.

(viii) *Commission on the Status of Women:*

Representatives of Australia, China, Costa Rica, Denmark, France, Greece, Haiti, India, Mexico, Syria, Turkey, U.S.S.R., United Kingdom, United States, Venezuela.

(ix) *Commission on Narcotic Drugs:*

Representatives of Canada, China, Egypt, France, India, Iran, Mexico, Netherlands, Peru, Poland, Turkey, U.S.S.R., United Kingdom, United States, Yugoslavia.



*(x) Economic Commission for Europe:*

Representatives of Belgium, Byelorussian S.S.R., Czechoslovakia, Denmark, France, Greece, Iceland, Luxembourg, Netherlands, Norway, Poland, Sweden, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Yugoslavia.

*(xi) Economic Commission for Asia and the Far East:*

Representatives of Australia, Burma, China, France, India, Netherlands, New Zealand, Pakistan, Philippine Republic, Siam, U.S.S.R., United Kingdom, United States. (Certain other states are admitted to associate membership without voting privileges).

*(xii) Economic Commission for Latin America:*

Representatives of Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Guatemala, Haiti, Honduras, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, United Kingdom, United States, Uruguay, Venezuela.

## INTERNATIONAL CHILDREN'S EMERGENCY FUND

*Member Governments:*

Argentina	Netherlands
Australia	New Zealand
Brazil	Norway
Byelorussian S.S.R.	Peru
Canada	Poland
China	Sweden
Colombia	Switzerland
Czechoslovakia	Ukrainian S.S.R.
Denmark	Union of South Africa
Ecuador	U.S.S.R.
France	United Kingdom
Greece	United States
Iraq	Yugoslavia

## TRUSTEESHIP COUNCIL

*Administering Trust Territories*

Australia	New Zealand
Belgium	United Kingdom
France	United States

*Permanent Members of the Security Council Not Administering Trust Territories*

China  
U.S.S.R.

*Elective Members*

To serve until December 31, 1949:

Iraq  
Mexico

To serve until December 31, 1950:

Costa Rica  
Philippine Republic

## THE INTERNATIONAL COURT OF JUSTICE

To serve until February 5, 1958:

Abdel Hamid Badawi Pasha (Egypt)  
Hsu Mo (China)  
John E. Read (Canada)  
Bogdan Winiarski (Poland)  
Milovan Zoricic (Yugoslavia)

To serve until February 5, 1955:

Alejandro Alvarez (Chile)  
José Philadelpho de Barros e Azevedo (Brazil)  
Jules Basdevant (France)  
José Gustavo Guerrero (El Salvador)  
Sir Arnold Duncan McNair (United Kingdom)

To serve until February 5, 1952:

Isidro Fabela Alfaro (Mexico)  
Green H. Hackworth (United States)  
Helge Klaestad (Norway)  
Sergei Borisovitch Krylov (U.S.S.R.)  
Charles de Visscher (Belgium)

## STANDING COMMITTEES OF THE GENERAL ASSEMBLY

*Advisory Committee on Administrative and Budgetary Questions*

To serve until December 31, 1949

O. Machado (Brazil)  
Sir William Matthews (United Kingdom)  
William O. Hall (United States)

To serve until December 31, 1950

Andre Ganem (France)  
Jan Papanek (Czechoslovakia)  
N. Sundaresan (India)

To serve until December 31, 1951

Thanassis Agnides (Greece)  
C. L. Hsia (China)  
Valentin I. Kabushko (U.S.S.R.)

*Committee on Contributions*

To serve until December 31, 1949

K. V. Dzung (China)  
Jan Papanek (Czechoslovakia)  
James E. Webb (United States)

To serve until December 31, 1950

Rafik Asha (Syria)  
H. Campion (United Kingdom)  
M. Z. N. Witteveen (Netherlands)

To serve until December 31, 1951

René Charron (France)  
P. M. Chernyshev (U.S.S.R.)  
Seymour Jacklin (Union of South Africa)  
G. Martinez-Cabanas (Mexico)

*Board of Auditors*

The Auditor-General or corresponding official of each of the following countries:

Canada, to serve until June 30, 1950

Colombia, to serve until June 30, 1951

Denmark, to serve until June 30, 1952

*Investments Committee*

Leslie R. Rounds (U.S.A.) until December 31, 1951

Jacques Rueff (France) until December 31, 1950

Ivar Roth (Sweden) until December 31, 1949.



## Appendix VII

### List of Non-governmental Organizations in Consultative Status with the Economic and Social Council

#### Category A

American Federation of Labour (United States)  
International Chamber of Commerce  
International Co-operative Alliance  
International Federation of Agricultural Producers  
International Federation of Christian Trade Unions  
International Organization of Industrial Employers  
Inter-Parliamentary Union  
World Federation of Trade Unions  
World Federation of United Nations Associations  
(transferred from Category B at the sixth session of the  
Economic and Social Council)

#### Category B

Agudas Israel World Organization  
All-India Women's Conference (India)  
Associated Country Women of the World  
Boy Scouts' International Bureau  
Catholic International Union for Social Service  
Carnegie Endowment for International Peace (United States)  
Commission of the Churches on International Affairs  
Consultative Council of Jewish Organizations  
Co-ordinating Board of Jewish Organizations for Consultation with  
the Economic and Social Council of the United Nations  
Econometric Society  
Friends World Committee for Consultation  
Howard League for Penal Reform (United Kingdom)  
Inter-American Council of Commerce and Production  
International Abolitionist Federation  
International African Institute  
International Alliance of Women—Equal Rights, Equal Responsibilities  
International Association of Democratic Lawyers  
International Association of Penal Law  
International Bureau for the Suppression of Traffic in Women and  
Children  
International Bureau for the Unification of Penal Law  
International Committee of the Red Cross  
International Committee of Schools for Social Work  
International Conference of Social Work  
International Co-operative Women's Guild  
International Council of Women  
International Federation of Business and Professional Women  
International Federation of Friends of Young Women  
International Federation of University Women  
International Institute of Administrative Sciences

Category B—*Continued*

International Law Association  
 International League for the Rights of Man  
 International Organization for Standardization  
 International Organization of Journalists  
 International Social Service  
 International Statistical Institute  
 International Student Service  
 International Transport Workers' Federation  
 International Union for Child Welfare  
 International Union of Catholic Women's Leagues  
 International Union of Family Organizations  
 International Union of Local Authorities  
 International Union of Official Travel Organizations  
 International Union of Producers and Distributors of Electric Power  
 International Voluntary Service for Peace  
 Liaison Committee of Women's International Organizations  
 National Association of Manufacturers (United States)  
 Salvation Army  
 Women's International Democratic Federation  
 Women's International League for Peace and Freedom  
 World Association of Girl Guides and Girl Scouts  
 World Federation of Democratic Youth  
 World Jewish Congress  
 World Power Conference  
 World Women's Christian Temperance Union  
 World Young Women's Christian Association  
 World's Alliance of Young Men's Christian Associations

## Category C

International Association of Lions Clubs  
 International Federation of Secondary Teachers  
 Rotary International  
 World Organization of the Teaching Profession

The total number of organizations listed above is sixty-nine; of these nine are in Category (A) fifty-six in Category (B) and four in Category (C). All of these organizations are international organizations except the four organizations that are followed by the name of a State.

## Appendix VIII

The following is a list of publications issued by the Department of External Affairs during 1948 on subjects relating to the United Nations and the specialized agencies.

1. *Canada and the United Nations, 1947*. (Conference Series, No. 1.)

2. Reference Papers:

No. 25—The International Trade Organization.

No. 28—Canada and the General Assembly, 1947.

No. 34—Views of Canada on Matters before the United Nations.

3. Reprints:

No. 50—War or Peace? (reprint of an interview with General McNaughton appearing in "New Liberty", February 28.)

4. Statements and Speeches:

No. 48/2 —Peace Through the United Nations.

No. 48/5 —The United Nations.

No. 48/12—The Present Position in Regard to International Control of Atomic Energy.

No. 48/13—National and International Unity.

No. 48/22—Problems of Canadian Security. ✱

No. 48/23—Review of World Affairs.

No. 48/26—The International Control of Atomic Energy.

No. 48/30—The United Nations—Its Structure, Its Defects and its Accomplishments.

No. 48/37—The Moral Support of the United Nations.

No. 48/40—The Role of the Middle Powers in the United Nations.

No. 48/41—Views of Canada on Matters before the United Nations.

No. 48/50—Statement by Rt. Hon. W. L. Mackenzie King. United Nations General Assembly, Paris.

No. 48/52—Canada and the Report of the Atomic Energy Commission.

No. 48/53—The Canadian Reply to Soviet Proposals.

No. 48/54—Statement on Atomic Energy.

No. 48/57—Statement on Atomic Energy (II).

No. 48/61—Statement on Palestine.

No. 48/63—Statement on the Universal Declaration of Human Rights.

5. External Affairs Monthly Bulletin:

June —Report on the Geneva Conference on Freedom of Information.

Excerpts from a speech of General McNaughton, May 10, 1948, on the International Control of Atomic Energy.



- July —Report of the meeting of the United Nations Advisory Committee of Information Experts.  
 Report of the Second General Assembly of ICAO.  
 Texts of the Vandenberg Resolution and Article 51 of the Charter.  
 Item on the United Nations Interne Programme.
- August —Report of the First Assembly of the World Health Organization.  
 Report of the Thirty-First Conference of the International Labour Organization.  
 Canada's Faith in the United Nations—Excerpts from an address by General McNaughton to the United Nations Summer Course Lecture Series.
- September—Article on the International Court of Justice.  
 Report on the Seventh Session of the Economic and Social Council.  
 Report on the Second Meeting of the Interim Commission of the International Trade Organization.  
 Article on the provisional agenda for the United Nations General Assembly and list of Canadian delegation.  
 Item on the Extraordinary Session of UNESCO.
- October —Statement by the Rt. Hon. W. L. Mackenzie King at the United Nations General Assembly, September 28.  
 Report of September meeting of the International Refugee Organization.

6. "External Affairs".

November—Current Report of the Third Session of the General Assembly.

December—Current Report of the Third Session of the General Assembly.

7. Press Releases. The following Press Releases were on United Nations matters and include announcements of meetings, composition of Canadian delegations, texts of statements, the report on the implementation by Canada of recommendations of the Social and Economic Council, etc.

Nos. 2, 4, 6, 12, 19, 25, 37, 49, 60, 61, 63, 71, 75, 77, 81, 82, 84, 87, 90.

8. Biographies. A number of biographies of Canadian delegates to United Nations meetings were also issued during 1948.

9. Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on February 13, 1946. Canada Treaty Series, 1948, No. 2.

#### 10. INTERNATIONAL TRADE ORGANIZATION :

Final Act of the United Nations Conference on Trade and Employment held at Havana from November 22, 1947, to March 24, 1948 (including the Havana Charter for an International Trade Organization). Canada Treaty Series, 1948, No. 32.

Protocols and Declaration concerning the General Agreement on Tariffs and Trade of October 30, 1947. Signed at Havana, March 24, 1948. Canada Treaty Series, 1948, No. 12.

Additional Protocols concerning the General Agreement on Tariffs and Trade of October 30, 1947. Signed at Geneva, September 14, 1948. Canada Treaty Series, 1948, No. 30.

General Agreement on Tariffs and Trade of October 30, 1947, (consolidated text). Canada Treaty Series, 1948, No. 31.

#### 11. INTERNATIONAL CIVIL AVIATION ORGANIZATION :

Final Act of the International Civil Aviation Organization Conference on Air Navigation Services in Iceland, held at Geneva from June 9 to 25, 1948. Canada Treaty Series, 1948, No. 17.

#### 12. UNITED NATIONS APPEAL FOR CHILDREN :

Agreement between Canada and the Secretary-General of the United Nations concerning the United Nations Appeal for Children. Signed at Lake Success, N.Y., August 27, 1948. Canada Treaty Series, 1948, No. 29.

## Appendix IX

### United Nations Documents, 1948

#### A Selected Bibliography

The printed publications of the United Nations listed below may be procured in Canada through The Ryerson Press, 299 Queen St. West, Toronto, Ontario.

#### A. Main Reports

1. *First part of the Report of the United Nations Temporary Commission on Korea, Volume 1*; August, 1948; 47 pp., 60¢ (Official Records of the General Assembly, Third Session, Supplement No. 9) *First Part, Vol. 2, Annexes 1 to 8*; August 1948; 99 pp. \$1.50.
2. *Report of the Security Council to the General Assembly, 16 July, 1947 to 15 July, 1948*; September, 1948; 144 pp. \$1.50. (Official Records of the General Assembly, Third Session, Supplement No. 2).
3. *Second Report of the Atomic Energy Commission to the Security Council*; September 11, 1947; 263 pp. \$2.50. (Official Records of the Atomic Energy Commission, second year, Special Supplement).
4. *Third Report of the Atomic Energy Commission to the Security Council, 17 May, 1948; 27 June, 1948*; 71 pp. 75¢. (Official Records of the Atomic Energy Commission, third year, Special Supplement).
5. *Annual Report of the Secretary-General on the Work of the Organization, 1 July, 1947, to 30 June, 1948*; July 31, 1948. 135 pp. \$1.50. (Official Records of the General Assembly, Third Session, Supplement No. 1).
6. *Report of the Trusteeship Council; 29 April, 1947, to 5 August, 1948*; August, 1948; 49 pp. 50¢. (Official Records of the General Assembly, Third Session, Supplement No. 4).
7. *Report of United Nations Special Committee on the Balkans*; June, 1948; 36 pp. 50¢. (Official Records of the General Assembly, Third Session, Supplement No. 8).
8. *Report of the Commission on Human Rights*; 59 pp. 60¢. (Official records of the Economic and Social Council, third year, Sixth Session, Supplement No. 1).
9. *Budget Estimates for the Financial Year 1949 and Information Annexes*; July, 1948; 271 pp. \$2.75. (Official Records of the General Assembly, Third Session, Supplement No. 5).
10. *Report of the Palestine Commission, 10 April, 1948*; 39 pp. 50¢. (Official Records of the General Assembly, Second Special Session, Supplement No. 1).
11. *Report of the Economic and Social Council to the General Assembly, 18 August, 1947, to 29 August, 1948*; September, 1948; 87 pp., 90¢. (Official records of the General Assembly, third session, Supplement No. 3).
12. *Reports of the Interim Committee of the General Assembly*; (5 January-5 August, 1948); October 26, 1948; 51 pp. 60¢. (Official Records of the General Assembly, third session, Supplement No. 10).



B. *Research Publications by the United Nations Secretariat*

1. *Economic Development in Selected Countries, Plans, Programmes, and Agencies*; October, 1947; 286 pp. \$3.00. (Department of Economic Affairs).
2. *Economic Report, Salient Features of the World Economic Situation 1945-47*; January, 1948; 354 pp. \$2.50. (Department of Economic Affairs).
3. *Supplements to the Economic Report, Salient Features of the World Economic Situation 1945-47, Discussion of the Report in the Economic and Social Council Sixth Session*; March, 1948; 140 pp. \$1.00. (Department of Economic Affairs).
4. *Foreign Exchange Position of Devastated Countries*; February, 1948; 85 pp. 50¢. (Department of Economic Affairs).
5. *Directory of Economic and Statistical Projects*; January, 1948; 130 pp. \$1.00. (Department of Economic Affairs).
6. *Reports on the Population of Trust Territories, No. 1; the Population of Western Samoa*; 17 January, 1948; 61 pp. 50¢. (Department of Social Affairs).
7. *Customs Union, a League of Nations Contribution to the Study of Customs Union*; 14 April, 1948; 98 pp. 75¢. (Department of Economic Affairs).
8. *International Cartel, League of Nations Memorandum*; April 15, 1948; 53 pp. 50¢. (Department of Economic Affairs).
9. *A Survey of the Economic Situation and Prospects of Europe*; April 15, 1948; 206 pp. \$2.50. (Prepared by the Economic Commission for Europe, and distributed by Department of Economic Affairs).









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Canada. External Affairs, Dept. of  
Conference Series 1948, No. 1 - Canada and  
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